

# VARIOUS BILLS AND RESOLUTIONS

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## MARKUP

BEFORE THE

### COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

**H.R. 982, H.R. 1469, H.R. 1405, H.R. 1441,  
H.R. 1678, H. Con. Res. 100, H. Res. 100,  
H. Res. 125, H. Res. 158, H. Res. 196,  
H. Res. 240, H. Res. 267 and H.R. 1681**

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MARCH 27, 2007

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## VARIOUS BILLS AND RESOLUTIONS

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TUESDAY, MARCH 27, 2007

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:40 a.m. in room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. The meeting of the committee will come to order. Pursuant to committee rule 15, I am pleased to announce the designation of the following members to be vice chairs of the subcommittees of the Committee on Foreign Affairs.

For the Subcommittee on Africa and Global Health, Diane Watson; for the Subcommittee on Asia, the Pacific, and the Global Environment, Gregory Meeks; for the Subcommittee on Europe, Brad Miller; for the Subcommittee on International Organizations, Human Rights, and Oversight, Ross Cannahan; for the Subcommittee on the Middle East and South Asia, Ron Klein; for the Subcommittee on Terrorism, Nonproliferation, and Trade, David Scott; for the Subcommittee on the Western Hemisphere, Alveo Sires.

I want to congratulate all of the subcommittee chairs, and I want to express my great confidence in their ability to do an outstanding job for the benefit of the Congress and the American people.

Pursuant to notice, I call up the bill, H.R. 982, the ADVANCE Democracy Act of 2007, for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point. I yield myself 5 minutes to explain this legislation.

[H.R. 982 follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 982

To promote democratic values and enhance democracy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2007

Mr. LANTOS (for himself, Mr. WOLF, Ms. ROS-LEHTINEN, Mr. PRICE of North Carolina, Mr. DREIER, Mr. ACKERMAN, Mr. BERMAN, Mr. BURTON of Indiana, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To promote democratic values and enhance democracy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advance Democratic  
5 Values, Address Nondemocratic Countries, and Enhance  
6 Democracy Act of 2007” or the “ADVANCE Democracy  
7 Act of 2007”.

### 8 **SEC. 2. TABLE OF CONTENTS.**

9 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Statement of policy.
- Sec. 5. Definitions.

#### TITLE I—DEPARTMENT OF STATE ACTIVITIES

- Sec. 101. Promotion of democracy in foreign countries.
- Sec. 102. Reports.
- Sec. 103. Democracy fellowship program.
- Sec. 104. Advisory Committee on Democracy Promotion.
- Sec. 105. Establishment and maintenance of internet site for global democracy and human rights.
- Sec. 106. Programs by United States missions in foreign countries and activities of chiefs of mission.
- Sec. 107. Training for foreign service officers.
- Sec. 108. Performance pay; promotions; foreign service awards.
- Sec. 109. Appointments.

#### TITLE II—COOPERATION WITH OTHER DEMOCRATIC COUNTRIES

- Sec. 201. Cooperation with other democratic countries.
- Sec. 202. Strengthening the Community of Democracies.
- Sec. 203. Initiatives at the United Nations.

#### TITLE III—FUNDING FOR PROMOTION OF DEMOCRACY

- Sec. 301. Policy.
- Sec. 302. Human rights and democracy fund.
- Sec. 303. Instruments for providing democracy assistance.

#### TITLE IV—PRESIDENTIAL ACTIONS

- Sec. 401. Investigation of violations of international humanitarian law.

### 1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) All human beings are created equal and  
 4 possess certain rights and freedoms, including the  
 5 fundamental right to participate in the political life  
 6 and government of their respective countries.

7 (2) The development of democracy constitutes a  
 8 long-term challenge that goes through unique phases  
 9 and paces in individual countries as such countries  
 10 develop democratic institutions such as a thriving

1 civil society, a free media, and an independent judi-  
2 ciary, and must be led from within such countries,  
3 including by individuals, nongovernmental organiza-  
4 tions, and movements, and by nationals of such  
5 countries who live abroad.

6 (3) Individuals, nongovernmental organizations,  
7 and movements that support democratic principles,  
8 practices, and values are under increasing pressure  
9 from governments of nondemocratic countries (as  
10 well as, in some cases, in democratic transition coun-  
11 tries), including by using administrative and regu-  
12 latory mechanisms to undermine the activities of  
13 such individuals, organizations, and movements.

14 (4) Democratic countries have a number of in-  
15 struments available for supporting democratic re-  
16 formers who are committed to promoting effective,  
17 nonviolent change in nondemocratic countries and  
18 who are committed to keeping their countries on the  
19 path to democracy.

20 (5) United States efforts to promote democracy  
21 and protect human rights can be strengthened to  
22 improve assistance for such reformers, including  
23 through an enhanced role for United States dip-  
24 lomats when properly trained and given the right in-  
25 centives.



1           (6) The promotion of democracy requires a  
2       broad-based effort with collaboration between all  
3       democratic countries, including through the Commu-  
4       nity of Democracies.

5   **SEC. 4. STATEMENT OF POLICY.**

6       It shall be the policy of the United States—

7           (1) to promote freedom and democracy in for-  
8       eign countries as a fundamental component of  
9       United States foreign policy, along with other key  
10      foreign policy goals;

11          (2) to affirm fundamental freedoms and human  
12      rights in foreign countries and to condemn offenses  
13      against those freedoms and rights as a fundamental  
14      component of United States foreign policy, along  
15      with other key foreign policy goals;

16          (3) to protect and promote fundamental free-  
17      doms and rights, including the freedoms of associa-  
18      tion, of expression, of the press, and of religion, and  
19      the right to own private property;

20          (4) to promote democracy through the pro-  
21      motion of democratic institutions, including institu-  
22      tions that support the rule of law (such as an inde-  
23      pendent judiciary), an independent and professional  
24      media, strong legislatures, a thriving civil society,  
25      transparent and professional independent govern-

1        mental auditing agencies, civilian control of the mili-  
2        tary, and institutions that promote the rights of mi-  
3        norities and women;

4            (5) to provide appropriate support to individ-  
5        uals nongovernmental organizations, and movements  
6        located in nondemocratic countries that aspire to live  
7        in freedom and establish full democracy in such  
8        countries;

9            (6) to provide, political, economic, and other  
10       support to foreign countries and individuals, non-  
11       governmental organizations, and movements that are  
12       willingly undertaking a transition to democracy; and

13            (7) to strengthen cooperation with other demo-  
14       cratic countries in order to better promote and de-  
15       fend shared values and ideals.

16 **SEC. 5. DEFINITIONS.**

17        In this Act:

18            (1) APPROPRIATE CONGRESSIONAL COMMIT-  
19       TEES.—The term “appropriate congressional com-  
20       mittees” means the Committee on Foreign Affairs of  
21       the House of Representatives and the Committee on  
22       Foreign Relations of the Senate.

23            (2) COMMUNITY OF DEMOCRACIES AND COMMU-  
24       NITY.—The terms “Community of Democracies”  
25       and “Community” mean the association of demo-

1 cratic countries committed to the global promotion  
2 of democratic principles, practices, and values, which  
3 held its First Ministerial Conference in Warsaw, Po-  
4 land, in June 2000.

5 (3) DEPARTMENT.—The term “Department”  
6 means the Department of State.

7 (4) ELIGIBLE ENTITY.—The term “eligible enti-  
8 ty” means any nongovernmental organization, inter-  
9 national organization, multilateral institution, pri-  
10 vate foundation, corporation, partnership, associa-  
11 tion, or other entity, organization, or group that  
12 supports democratic principles, practices, and values  
13 and is engaged in, or plans to engage in, the pro-  
14 motion of democracy and the protection of human  
15 rights in non-democratic countries or democratic  
16 transition countries.

17 (5) ELIGIBLE INDIVIDUAL.—The term “eligible  
18 individual” means any individual who supports  
19 democratic principles, practices, and values and is  
20 engaged in, or who intends to engage in, the pro-  
21 motion of democracy or the protection of human  
22 rights in non-democratic countries or democratic  
23 transition countries.

24 (6) NONDEMOCRATIC OR DEMOCRATIC TRANSI-  
25 TION COUNTRY.—The term “nondemocratic or

1 democratic transition country” shall include any  
2 country which is not governed by a fully functioning  
3 democratic form of government, as determined by  
4 the Secretary, taking into account the general con-  
5 sensus regarding the status of civil and political  
6 rights in a country by major nongovernmental orga-  
7 nizations that conduct assessments of such condi-  
8 tions in countries and whether such country fails to  
9 satisfy the following requirements:

10 (A) All citizens of such county have the  
11 right to, and are not restricted in practice from,  
12 fully and freely participating in the political life  
13 of such country, regardless of gender, race, lan-  
14 guage, religion, or beliefs.

15 (B) The national legislative body of such  
16 country and, if directly elected, the head of gov-  
17 ernment of such country, are chosen by free,  
18 fair, open, and periodic elections, by universal  
19 and equal suffrage, and by secret ballot.

20 (C) More than one political party in such  
21 country has candidates who seek elected office  
22 at the national level and such parties are not  
23 restricted in their political activities or their  
24 process for selecting such candidates, except for  
25 reasonable administrative requirements com-

1           monly applied in countries categorized as fully  
2           democratic.

3           (D) All citizens in such country have a  
4           right to, and are not restricted in practice from,  
5           fully exercising the freedoms of thought, con-  
6           science, belief, peaceful assembly and associa-  
7           tion, speech, opinion, and expression, and such  
8           country has a free, independent, and pluralistic  
9           media.

10          (E) The current government of such coun-  
11          try did not come to power in a manner contrary  
12          to the rule of law.

13          (F) Such country possesses an independent  
14          judiciary and the government of such country  
15          generally respects the rule of law.

16          (G) Such country does not violate other  
17          core principles enshrined in the United Nations  
18          Charter, the Universal Declaration of Human  
19          Rights, the International Covenant on Civil and  
20          Political Rights, United Nations Commission on  
21          Human Rights Resolution 1499/57 (entitled  
22          “Promotion of the Right to Democracy”),  
23          United Nations General Assembly Resolution  
24          55/96 (entitled “Promoting and consolidating  
25          democracy”), the assessments used to deter-

1 mine eligibility for financial assistance dis-  
 2 bursed from the Millennium Challenge Account,  
 3 the assessments of nongovernmental organiza-  
 4 tions of eligibility to participate in the meetings  
 5 of the Community of Democracies, and the  
 6 standards established and adopted by the Com-  
 7 munity of Democracies.

8 (7) SECRETARY.—The term “Secretary” means  
 9 the Secretary of State.

10 (8) UNDER SECRETARY.—The term “Under  
 11 Secretary” means the Under Secretary of State for  
 12 Democracy and Global Affairs.

## 13 **TITLE I—DEPARTMENT OF** 14 **STATE ACTIVITIES**

### 15 **SEC. 101. PROMOTION OF DEMOCRACY IN FOREIGN COUN-** 16 **TRIES.**

17 (a) ADDITIONAL DUTIES FOR ASSISTANT SEC-  
 18 RETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS,  
 19 AND LABOR.—Section 1(c)(2)(A) of the State Department  
 20 Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is  
 21 amended by inserting after the first sentence the following  
 22 new sentence: “The Assistant Secretary of State for De-  
 23 mocracy, Human Rights, and Labor shall also be respon-  
 24 sible for matters relating to the transition to and develop-  
 25 ment of democracy in nondemocratic countries, including

1 promoting and strengthening the development of democ-  
2 racy in foreign countries that are in the early stages of  
3 a transition to democracy and evaluating the effectiveness  
4 of United States programs that promote democracy.”.

5 (b) DEPARTMENT OF STATE AND UNITED STATES  
6 MISSIONS ABROAD.—

7 (1) OFFICE RELATED TO DEMOCRATIC MOVE-  
8 MENTS AND TRANSITIONS.—

9 (A) ESTABLISHMENT.—There shall be  
10 within the Bureau of Democracy, Human  
11 Rights, and Labor of the Department of State  
12 at least one office that shall be responsible for  
13 working with democratic movements and facili-  
14 tating the transition of nondemocratic countries  
15 and democratic transition countries to full de-  
16 mocracy.

17 (B) PURPOSE.—In addition to any other  
18 responsibilities conferred on such an office or  
19 offices, such office or offices shall promote tran-  
20 sitions to full democracy in nondemocratic  
21 countries and democratic transition countries.

22 (C) RESPONSIBILITIES.—The office or of-  
23 fices shall—

24 (i) develop relations with, consult  
25 with, and provide assistance to nongovern-

1           mental organizations, individuals, and  
2           movements that are committed to the  
3           peaceful promotion of democracy, demo-  
4           cratic principles, practices, and values, and  
5           fundamental rights and freedoms, includ-  
6           ing fostering relationships with the United  
7           States Government and the governments of  
8           other democratic countries; and

9           (ii) assist officers and employees of  
10          regional bureaus to develop strategies and  
11          programs to promote peaceful change in  
12          such countries.

13          (D) LIAISON.—Within each such office,  
14          there shall be at least one officer or employee  
15          who shall have expertise in and be responsible  
16          for working with individuals, nongovernmental  
17          organizations and movements that develop rela-  
18          tions with, consult with, and provide assistance  
19          to nongovernmental organizations, individuals,  
20          and movements that are committed to the  
21          peaceful promotion of democracy, democratic  
22          principles, practices, and values, and funda-  
23          mental rights and freedoms.

24          (2) DEMOCRACY LIAISON OFFICERS.—



1 (A) ESTABLISHMENT.—The Secretary  
2 shall establish and staff Democracy Liaison Of-  
3 ficer positions, under the supervision of the As-  
4 sistant Secretary, who may be assigned to the  
5 following posts:

6 (i) United States missions to or liai-  
7 sons with regional and multilateral organi-  
8 zations, including the United States mis-  
9 sions to the European Union, African  
10 Union, Organization of American States,  
11 and any other appropriate regional organi-  
12 zation, and the Organization for Security  
13 and Cooperation in Europe, the United  
14 Nations and its relevant specialized agen-  
15 cies, and the North Atlantic Treaty Orga-  
16 nization.

17 (ii) Department of State regional pub-  
18 lic diplomacy centers.

19 (iii) United States combatant com-  
20 mands.

21 (iv) Other posts as designated by the  
22 Secretary.

23 (B) RESPONSIBILITIES.—Each Democracy  
24 Liaison Officer shall—

1 (i) provide expertise on effective ap-  
2 proaches to promote and build democracy;

3 (ii) assist in conceiving and imple-  
4 menting strategies for transitions to de-  
5 mocracy; and

6 (iii) carry out such other responsibil-  
7 ities as the Secretary and the Assistant  
8 Secretary may assign.

9 (C) NEW POSITIONS.—The Democracy Li-  
10 aison Officer positions established under sub-  
11 paragraph (A) shall be new positions, in addi-  
12 tion to existing officer positions in the Depart-  
13 ment with responsibility for other human rights  
14 and democracy-related issues and programs, in-  
15 cluding officers responsible for labor issues.

16 (D) RELATIONSHIP TO OTHER AUTHORI-  
17 TIES.—Nothing in this section may be con-  
18 strued as derogating any authority or responsi-  
19 bility of a chief of mission or other employee of  
20 a diplomatic mission of the United States pro-  
21 vided under any other provision of law, includ-  
22 ing any authority or responsibility for the devel-  
23 opment or implementation of strategies to pro-  
24 mote democracy.

1 (E) AUTHORIZATION OF APPROPRIA-  
 2 TIONS.—There are authorized to be appro-  
 3 priated to the Secretary such sums as may be  
 4 necessary to carry out the responsibilities de-  
 5 scribed in subparagraph (B), including hiring  
 6 additional staff to carry out such responsibil-  
 7 ities.

8 (3) MONITORING AND DOCUMENTATION.—The  
 9 Secretary should coordinate with the Secretary of  
 10 the Treasury, the Attorney General, the Directory of  
 11 National Intelligence, other appropriate intelligence  
 12 agencies, and, as appropriate, with foreign govern-  
 13 ments to—

14 (A) monitor and document financial assets  
 15 inside and outside the United States held by  
 16 leaders of nondemocratic countries;

17 (B) identify close foreign associates of such  
 18 leaders; and

19 (C) monitor and document financial assets  
 20 inside and outside the United States held by  
 21 such close associates.

22 (4) SENSE OF CONGRESS REGARDING COORDI-  
 23 NATION.—It is the sense of Congress that there  
 24 should be three Deputy Assistant Secretaries of  
 25 State for Democracy, Human Rights, and Labor and

1 at least one such deputy assistant secretary should  
 2 be responsible for coordinating the promotion of de-  
 3 mocracy in nondemocratic countries and democratic  
 4 transition countries.

5 (5) RECRUITMENT.—The Secretary shall seek  
 6 to ensure that, not later than December 31, 2012,  
 7 not less than 50 percent of the nonadministrative  
 8 employees serving in the Bureau of Democracy,  
 9 Human Rights, and Labor are members of the For-  
 10 eign Service.

11 (c) AMENDMENTS TO THE FREEDOM INVESTMENT  
 12 ACT OF 2002.—The Freedom Investment Act of 2002  
 13 (subtitle E of title VI of Public Law 107–228) is  
 14 amended—

15 (1) in section 663(a), (relating to human rights  
 16 activities at the Department of State)—

17 (A) in paragraph (1), by striking “and” at  
 18 the end;

19 (B) in paragraph (2)—

20 (i) by striking “monitoring human  
 21 rights developments” and all that follows  
 22 through “recommendation” and inserting  
 23 the following: “monitoring and promoting  
 24 democracy and human rights in a foreign

1 country should be made after consultation  
 2 with and upon the recommendation”; and  
 3 (ii) by striking the period at the end  
 4 and inserting “; and”;  
 5 (C) by adding at the end the following new  
 6 paragraph:

7 “(3) the level of seniority of any such political  
 8 officer should be in direct relationship to the severity  
 9 of the problems associated with the establishment of  
 10 full democracy and respect for human rights in such  
 11 country.”; and

12 (2) in section 665(c) (relating to reports on ac-  
 13 tions taken by the United States to encourage re-  
 14 spect for human rights), by striking the second sen-  
 15 tence.

16 **SEC. 102. REPORTS.**

17 (a) ANNUAL STRATEGY REPORT.—Section 116 of the  
 18 Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is  
 19 amended—

20 (1) in subsection (d)—

21 (A) by striking paragraph (10) and redес-  
 22 ignating paragraph (11) as paragraph (10);

23 (B) by striking the period at the end of  
 24 paragraph (10) (as so redesignated) and insert-  
 25 ing “; and”; and

1 (C) by adding at the end the following new  
2 paragraphs:

3 “(11) for each country with respect to which  
4 the report indicates that extrajudicial killings, tor-  
5 ture, or other serious violations of human rights  
6 have occurred in the country, a long term strategy,  
7 including a specific list of priorities and an action  
8 plan, to end such practices in the country, and any  
9 actions taken in the previous year to end such prac-  
10 tices; and

11 “(12)(A) a long term strategy to promote and  
12 achieve a transition to full democracy and good gov-  
13 ernance in each country described in subparagraph  
14 (B), developed following consultations with non-  
15 governmental organizations, individuals, and move-  
16 ments that promote democratic principles, practices,  
17 and values in each such country, including a specific  
18 list of priorities, an action plan, and specific respon-  
19 sibilities and activities for chiefs of missions to pro-  
20 mote democracy, and any actions taken in the pre-  
21 vious year to advance such transition.

22 “(B) The countries referred to in subparagraph  
23 (A) shall include any country which is not governed  
24 by a fully functioning democratic form of govern-  
25 ment, as determined by the Secretary, taking into

1 account the general consensus regarding the status  
2 of civil and political rights in a country by major  
3 nongovernmental organizations that conduct assess-  
4 ments of such conditions in countries and whether  
5 any such country fails to satisfy the following  
6 requirements—

7 “(i) all citizens of such country have the  
8 right to, and are not restricted in practice from,  
9 fully and freely participating in the political life  
10 of such country regardless of gender, race, lan-  
11 guage, religion, or beliefs;

12 “(ii) the national legislative body of such  
13 country and, if directly elected, the head of gov-  
14 ernment of such country, are chosen by free,  
15 fair, open, and periodic elections, by universal  
16 and equal suffrage, and by secret ballot;

17 “(iii) more than one political party in such  
18 country has candidates who seek elected office  
19 at the national level and such parties are not  
20 restricted in their political activities or their  
21 process for selecting such candidates, except for  
22 reasonable administrative requirements com-  
23 monly applied in countries categorized as fully  
24 democratic;

1           “(iv) all citizens in such country have a  
2           right to, and are not restricted in practice from,  
3           fully exercising the freedoms of thought, con-  
4           science, belief, peaceful assembly and associa-  
5           tion, speech, opinion, and expression, and such  
6           country has a free, independent, and pluralistic  
7           media;

8           “(v) the current government of such coun-  
9           try did not come to power in a manner contrary  
10          to the rule of law;

11          “(vi) such country possesses an inde-  
12          pendent judiciary and the government of such  
13          country generally respects the rule of law; and

14          “(vii) such country does not violate other  
15          core principles enshrined in the United Nations  
16          Charter, the Universal Declaration of Human  
17          Rights, the International Covenant on Civil and  
18          Political Rights, United Nations Commission on  
19          Human Rights Resolution 1499/57 (entitled  
20          ‘Promotion of the Right to Democracy’), United  
21          Nations General Assembly Resolution 55/96  
22          (entitled ‘Promoting and consolidating democ-  
23          racy’), the assessments used to determine eligi-  
24          bility for financial assistance disbursed from the  
25          Millennium Challenge Account, the assessments



1 of nongovernmental organizations of eligibility  
2 to participate in the meetings of the Commu-  
3 nity of Democracies, and the standards estab-  
4 lished and adopted by the Community of De-  
5 mocracies.”; and

6 (2) by inserting at the end the following new  
7 subsection:

8 “(g) The information required in paragraphs (11)  
9 and (12) of subsection (d) and in the sixth sentence of  
10 section 502B(b) may be provided as separate reports not  
11 later than 90 days after the submission of the reports re-  
12 quired by such sections if the Secretary determines that  
13 it is in the national security interests of the United States,  
14 is necessary for the safety of individuals identified in such  
15 reports, or is necessary to further the purposes of this Act.  
16 Any information required by such paragraphs, including  
17 policies adopted or actions taken by the United States,  
18 may be summarized in the report and submitted in a clas-  
19 sified addendum.”.

20 (b) CONFORMING AMENDMENT.—Section 502B(b) of  
21 the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)),  
22 by striking the sixth sentence and inserting the following  
23 new sentence: “Such report shall also include, for each  
24 nondemocratic country or democratic transition country or  
25 country with respect to which the report indicates that

1 extrajudicial killings, torture, or other serious violations  
2 of human rights have occurred in the country, a strategy,  
3 including a specific list of priorities and an action plan,  
4 to end such practices and to promote democracy in the  
5 country, and any actions taken in the previous year to pro-  
6 mote democracy in such country or end such practices in  
7 the country.”.

8 (c) CLASSIFIED ADDENDUM.—If the Secretary deter-  
9 mines that it is in the national security interests of the  
10 United States, is necessary for the safety of individuals  
11 identified in the strategy report required by sections 116  
12 or 502B of the Foreign Assistance Act of 1961 (as amend-  
13 ed by subsections (a) and (b)), or is necessary to further  
14 the purposes of this Act, any information required by such  
15 sections, including policies adopted or actions taken by the  
16 United States, may be summarized and submitted to the  
17 appropriate congressional committees in more detail in a  
18 classified addendum.

19 (d) TRANSLATION OF COUNTRY REPORTS ON HUMAN  
20 RIGHTS PRACTICES.—The Secretary shall expand the  
21 timely translation of the Country Reports on Human  
22 Rights Practices required under sections 116 and 502B  
23 of the Foreign Assistance Act of 1961, the Annual Report  
24 on International Religious Freedom required under section  
25 102(b) of the International Religious Freedom Act of

1 1998 (22 U.S.C. 6412(b)), the Trafficking in Persons Re-  
2 port required under section 110(b) of the Trafficking Vic-  
3 tims Protection Act of 2000 (22 U.S.C. 7107(b)), and any  
4 separate report on democracy and human rights policy  
5 submitted in accordance with section 116(g) of the For-  
6 eign Assistance Act of 1961 into the principal languages  
7 of as many countries as possible, with particular emphasis  
8 on nondemocratic and democratic transition countries and  
9 countries in which extrajudicial killings, torture, or other  
10 serious violations of human rights have occurred.

11 **SEC. 103. DEMOCRACY FELLOWSHIP PROGRAM.**

12 (a) ESTABLISHMENT.—The Secretary shall establish  
13 a Democracy Fellowship Program to enable Department  
14 of State officers to gain an additional perspective on de-  
15 mocracy promotion abroad by working on democracy  
16 issues in congressional committees with oversight over the  
17 subject matter of this Act, including the Committee on  
18 Foreign Affairs and the Committee on Appropriations of  
19 the House of Representatives and the Committee on For-  
20 eign Relations and the Committee on Appropriations of  
21 the Senate, and in nongovernmental organizations in-  
22 volved in democracy promotion. The Assistant Secretary  
23 for Democracy, Human Rights, and Labor shall play a  
24 central role in the selection of Democracy Fellows and fa-

1 cilitate their placement in appropriate congressional of-  
 2 fices and nongovernmental organizations.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
 4 are authorized to be appropriated to the Secretary of State  
 5 such sums as may be necessary to carry out the establish-  
 6 ment of the Democracy Fellowship Program described in  
 7 subsection (a), including hiring additional staff to carry  
 8 out such establishment.

9 **SEC. 104. ADVISORY COMMITTEE ON DEMOCRACY PRO-**  
 10 **MOTION.**

11 (a) STUDY ON DEMOCRACY ASSISTANCE.—The Advi-  
 12 sory Committee on Democracy Promotion shall conduct a  
 13 study of United States democracy assistance to determine  
 14 the best practices for providing such assistance to individ-  
 15 uals, nongovernmental organizations, and movements that  
 16 are committed to the peaceful promotion of democracy and  
 17 democratic principles, practices, and values, with a view  
 18 towards making recommendations as to how to improve  
 19 such assistance, including the appropriate mechanisms for  
 20 assistance, means of coordinating with assistance pro-  
 21 grams of other countries, and the appropriate role for  
 22 international organizations in promoting democracy.

23 (b) STUDY ON PERSONNEL PRACTICES.—The Advi-  
 24 sory Committee on Democracy shall conduct a study of  
 25 personnel and training practices of the Department of

1 State relating to the promotion of democracy in order to  
2 provide recommendations to the Secretary concerning im-  
3 proving incentives for service in positions that have as  
4 their primary purpose the promotion of democracy, the  
5 protection of human rights, or both, improving the train-  
6 ing of members of the Foreign Service and civil service  
7 employees of the Department of State in the promotion  
8 of democracy and the protection of human rights, and on  
9 other changes to enhance the capacity of the Department  
10 of State to promote democracy and protect human rights.

11 **SEC. 105. ESTABLISHMENT AND MAINTENANCE OF INTER-**  
12 **NET SITE FOR GLOBAL DEMOCRACY AND**  
13 **HUMAN RIGHTS.**

14 (a) ESTABLISHMENT.—In order to facilitate access  
15 by individuals and nongovernmental organizations in for-  
16 eign countries to documents, streaming video and audio,  
17 and other media regarding democratic principles, prac-  
18 tices, and values, and the promotion and strengthening of  
19 democracy, the Secretary of State, in cooperation with the  
20 Under Secretary of State for Democracy and Global Af-  
21 fairs, the Under Secretary of State for Public Diplomacy  
22 and Public Affairs, the Assistant Secretary of State for  
23 Democracy, Human Rights, and Labor, the Director of  
24 the Office International Religious Freedom, and the Di-  
25 rector of the Office to Monitor and Combat Trafficking

1 shall establish and maintain an Internet site for global de-  
 2 mocracy and human rights.

3 (b) CONTENTS.—The Internet site for global democ-  
 4 racy established under subsection (a) shall include the fol-  
 5 lowing information:

6 (1) Narratives and histories of significant  
 7 democratic movements in foreign countries, particu-  
 8 larly regarding successful nonviolent campaigns to  
 9 oust dictatorships.

10 (2) Narratives relating to the importance of the  
 11 establishment of and respect for fundamental free-  
 12 doms.

13 (3) Major human rights reports by the United  
 14 States Government or any other documents, ref-  
 15 erences, or links to external Internet sites the Sec-  
 16 retary or Under Secretary and Assistant Secretary  
 17 determines appropriate, including reference to or  
 18 links to training materials regarding successful  
 19 movements in the past, including translations of  
 20 such materials, as appropriate.

21 **SEC. 106. PROGRAMS BY UNITED STATES MISSIONS IN FOR-**  
 22 **EIGN COUNTRIES AND ACTIVITIES OF CHIEFS**  
 23 **OF MISSION.**

24 (a) DEVELOPMENT OF PROGRAMS TO PROMOTE DE-  
 25 MOCRACY IN FOREIGN COUNTRIES.—Each chief of mis-

1 sion in each nondemocratic or democratic transition coun-  
2 try shall—

3 (1) develop, as part of annual program plan-  
4 ning, a strategy to promote democracy in each such  
5 foreign country and to provide visible and material  
6 support to individuals and nongovernmental organi-  
7 zations in each such country that are committed to  
8 democratic principles, practices, and values, such  
9 as—

10 (A) consulting and coordinating with such  
11 individuals and organizations regarding the pro-  
12 motion of democracy;

13 (B) visiting local landmarks and other  
14 local sites associated with nonviolent protest in  
15 support of democracy and freedom from oppres-  
16 sion;

17 (C) holding periodic public meetings with  
18 such individuals and organizations to discuss  
19 democracy and political, social, and economic  
20 freedoms;

21 (D) issuing public condemnation of severe  
22 violations of internationally recognized human  
23 rights (as such term is described in section  
24 116(a) of the Foreign Assistance Act of 1961  
25 (22 U.S.C. 2151n(a)), violations of religious

1 freedom, including particularly severe violations  
2 of religious freedom (as such terms are defined  
3 in paragraphs (11) and (13) of section 3 of the  
4 International Religious Freedom Act of 1998  
5 (22 U.S.C. 6402)), political repression, and  
6 government-tolerated or -condoned trafficking  
7 in persons; and

8 (E) providing technical, financial, and such  
9 other support to such individuals and organiza-  
10 tions;

11 (2) hold ongoing discussions with the leaders of  
12 each such nondemocratic country or democratic  
13 transition country regarding a transition to full de-  
14 mocracy and the development of political, social, and  
15 economic freedoms and respect for human rights, in-  
16 cluding freedom of religion or belief, in such coun-  
17 try; and

18 (3) conduct meetings with civil society, inter-  
19 views with media that can directly reach citizens of  
20 each such country, and discussions with students  
21 and young people of each such country regarding a  
22 transition to democracy and the development of po-  
23 litical, social, and economic freedoms in each such  
24 country.



1 (b) PUBLIC OUTREACH IN FOREIGN COUNTRIES.—

2 Each chief of mission or principal officer shall spend time  
3 at universities and other institutions of higher learning  
4 to—

5 (1) debate and discuss values and policies that  
6 promote democracy; and

7 (2) communicate, promote, and defend such  
8 United States values and policies.

9 (c) ACCESS TO UNITED STATES MISSIONS.—The

10 Secretary is encouraged to allow access to a United States  
11 diplomatic or consular mission in each nondemocratic or  
12 democratic transition country by individuals and rep-  
13 resentatives of nongovernmental organizations in each  
14 such country who are committed to democratic principles,  
15 practices, and values in each such country.

16 **SEC. 107. TRAINING FOR FOREIGN SERVICE OFFICERS.**

17 (a) TRAINING IN DEMOCRACY AND THE PROMOTION  
18 OF DEMOCRACY AND HUMAN RIGHTS.—Section 708 of  
19 the Foreign Service Act of 1980 (22 U.S.C. 4028) is  
20 amended by adding at the end the following new sub-  
21 section:

22 “(c) TRAINING ON GLOBAL DEMOCRACY PRO-  
23 MOTION.—

24 “(1) IN GENERAL.—In addition to the training  
25 required under subsections (a) and (b), the Sec-

1       retary of State, in cooperation with other relevant  
2       officials, including the Under Secretary of State for  
3       Democracy and Global Affairs, and the Director of  
4       the National Foreign Affairs Training Center of the  
5       Foreign Service Institute of the Department of  
6       State, shall establish as part of the training provided  
7       after December 31, 2007, for members of the Serv-  
8       ice, including all chiefs of mission and deputy chiefs  
9       of mission, instruction in how to strengthen and pro-  
10      mote democracy through peaceful means in consulta-  
11      tion with individuals and nongovernmental organiza-  
12      tions that support democratic principles, practices,  
13      and values. In particular, such instruction shall be  
14      mandatory for members of the Service having re-  
15      porting or other responsibilities relating to internal  
16      political developments and human rights, including  
17      religious freedom, in nondemocratic countries or  
18      democratic transition countries as defined in section  
19      5 of the ADVANCE Democracy Act of 2007, includ-  
20      ing for chiefs of mission and deputy chiefs of mis-  
21      sion, and shall be completed before the time that  
22      such member or chief of mission assumes a post (or,  
23      if such is not practical, within the first year of as-  
24      suming such post).

1           “(2) CONTENTS OF TRAINING.—The training  
2       required under paragraph (1) shall include instruc-  
3       tion, a training manual, and other materials regard-  
4       ing the following:

5           “(A) International documents and United  
6       States policy regarding electoral democracy and  
7       respect for human rights.

8           “(B) United States policy regarding the  
9       promotion and strengthening of democracy  
10      around the world, with particular emphasis on  
11      the transition to democracy in nondemocratic  
12      countries.

13          “(C) For any member, chief of mission, or  
14      deputy chief of mission who is to be assigned to  
15      a nondemocratic or democratic transition coun-  
16      try, instruction regarding ways to promote de-  
17      mocracy in such country and providing tech-  
18      nical, financial, and other support to individuals  
19      (including expatriated citizens) and nongovern-  
20      mental organizations in such country that sup-  
21      port democratic principles, practices, and val-  
22      ues.

23          “(D) The protection of internationally rec-  
24      ognized human rights (including the protection  
25      of religious freedom) and standards related to

1 such rights, provisions of United States law re-  
2 lated to such rights, diplomatic tools to promote  
3 respect for such rights, the protection of indi-  
4 viduals who have fled their countries due to vio-  
5 lations of such rights (including the role of  
6 United States diplomatic and consular missions  
7 in providing access to the United States Ref-  
8 ugee Admissions Program) and the relationship  
9 between respect for such rights and democratic  
10 development and national security. The Direc-  
11 tor of the National Foreign Affairs Training  
12 Center of the Foreign Service Institute of the  
13 Department of State shall consult with non-  
14 governmental organizations involved in the pro-  
15 tection and promotion of such rights and the  
16 United States Commission on International Re-  
17 ligious Freedom (established under section  
18 201(a) of the International Religious Freedom  
19 Act of 1998 (22 U.S.C. 6431(a)) in developing  
20 the training required by this subparagraph.”.

21 (b) OTHER TRAINING.—The Secretary shall ensure  
22 that the training described in subsection (c) of section 708  
23 of the Foreign Service Act of 1980 (as added by sub-  
24 section (a)) is provided to members of the civil service who  
25 are assigned in the United States or abroad who have re-

1 porting or other responsibilities relating to internal polit-  
2 ical developments and human rights in nondemocratic  
3 countries or democratic transition countries.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated to the Secretary such  
6 sums as may be necessary to develop appropriate pro-  
7 grams and materials to accomplish the training required  
8 under subsection (c) of section 708 of the Foreign Service  
9 Act of 1980.

10 (d) CLERICAL AMENDMENTS.—Section 708 of the  
11 Foreign Service Act of 1980, as amended by subsection  
12 (a), is further amended—

13 (1) in subsection (a) by striking “(a) The” and  
14 inserting “(a) TRAINING ON HUMAN RIGHTS.—  
15 The”; and

16 (2) in subsection (b), by striking “(b) The” and  
17 inserting “(b) TRAINING ON REFUGEE LAW AND  
18 RELIGIOUS PERSECUTION.—The”.

19 (e) ONE-TIME REPORT ON TRAINING AND GUIDE-  
20 LINES FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF  
21 MISSION.—Not later than 180 days after the date of the  
22 enactment of this Act, the Secretary shall submit to the  
23 appropriate congressional committees a one-time report  
24 containing a description of the training provided to For-  
25 eign Service officers in human rights and democracy pro-

1 motion, including such training provided to chiefs of mis-  
 2 sion serving or preparing to serve in nondemocratic coun-  
 3 tries or democratic transition countries, and plans for an  
 4 expansion of such training.

5 **SEC. 108. PERFORMANCE PAY; PROMOTIONS; FOREIGN**  
 6 **SERVICE AWARDS.**

7 (a) **PERFORMANCE PAY.**—Section 405(d) of the For-  
 8 eign Service Act of 1980 (22 U.S.C. 3965(d)) is amended  
 9 by inserting after the second sentence the following new  
 10 sentence: “Meritorious or distinguished service in the pro-  
 11 motion of democracy in foreign countries, including con-  
 12 tact with and support of individuals and nongovernmental  
 13 organizations that promote democracy in nondemocratic  
 14 countries or democratic transition countries, as defined in  
 15 section 5 of the ADVANCE Democracy Act of 2007, shall  
 16 also serve as a basis for granting awards under this sec-  
 17 tion.”.

18 (b) **PROMOTIONS.**—Section 603(b) of the Foreign  
 19 Service Act of 1980 (22 U.S.C. 4003(b)) is amended—

20 (1) by striking “(b) Precepts” and inserting

21 “(b)(1) Precepts”; and

22 (2) by adding at the end the following new  
 23 paragraph:

24 “(2) Precepts for selection boards shall also,  
 25 where applicable, include a specific precept evalu-

1       ating whether members of the Service and members  
 2       of the Senior Foreign Service have met the stand-  
 3       ards of performance established by the Secretary  
 4       pursuant to section 108(c) of the ADVANCE De-  
 5       mocracy Act of 2007, or have served in a position  
 6       in which the primary responsibility is to monitor or  
 7       promote democracy or human rights.”.

8       (c) REGULATIONS AND EVALUATIONS CONCERNING  
 9 STANDARDS OF PERFORMANCE AND PROGRAMS TO PRO-  
 10 MOTE DEMOCRACY.—With respect to members of the For-  
 11 eign Service, including all chiefs of mission, who are as-  
 12 signed to nondemocratic countries or democratic transi-  
 13 tion countries, the Secretary shall prescribe regulations  
 14 concerning the standards of performance to be met under  
 15 sections 405(d) and 603(b) of the Foreign Service Act of  
 16 1980 (22 U.S.C. 3965(d) and 4003(b)), as amended by  
 17 subsections (a) and (b), respectively, and the development  
 18 of programs to promote democracy in foreign countries  
 19 under section 106. The requirements of section 106 shall  
 20 serve as one of the bases for performance criteria in evalu-  
 21 ating chiefs of mission and those members of the Service  
 22 serving in a position in which the primary responsibility  
 23 is to monitor or promote democracy or human rights.

24       (d) FOREIGN SERVICE AWARDS.—Section 614 of the  
 25 Foreign Service Act of 1980 (22 U.S.C. 4013) is amended

1 by adding at the end the following new sentence: “Distin-  
2 guished or meritorious service in the promotion of democ-  
3 racy in foreign countries, including contact with and sup-  
4 port of individuals and nongovernmental organizations  
5 that promote democracy in a nondemocratic country or  
6 democratic transition country, as defined in section 5 of  
7 the ADVANCE Democracy Act of 2007, shall also serve  
8 as a basis for granting awards under this section.”.

9 **SEC. 109. APPOINTMENTS.**

10 Section 304(a)(1) of the Foreign Service Act of 1980  
11 (22 U.S.C. 3944(a)(1)) is amended by adding at the end  
12 the following new sentence: “If the country in which the  
13 individual is to serve is a nondemocratic country or a  
14 democratic transition country as defined in section 5 of  
15 the ADVANCE Democracy Act of 2007, the individual  
16 should possess clearly demonstrated competence in and  
17 commitment to the promotion of democracy, including  
18 competence in promoting democratic principles, practices,  
19 and values, such as through regular interaction with indi-  
20 viduals, including students and young people, who support  
21 and advocate such principles, practices, and values.”.



1 **TITLE II—COOPERATION WITH**  
2 **OTHER DEMOCRATIC COUN-**  
3 **TRIES**

4 **SEC. 201. COOPERATION WITH OTHER DEMOCRATIC COUN-**  
5 **TRIES.**

6 (a) FINDING.—Congress finds that it is in the na-  
7 tional interest of the United States, including for humani-  
8 tarian, economic, social, political, and security reasons, to  
9 forge alliances with democratic countries to work together  
10 to promote and protect—

11 (1) shared democratic principles, practices, and  
12 values; and

13 (2) political, social, and economic freedoms  
14 around the world.

15 (b) PURPOSES.—The purposes of this title are to en-  
16 courage new ways of cooperating closely with democratic  
17 countries, including through the Community of Democ-  
18 racies, in order to—

19 (1) promote and protect democratic principles,  
20 practices, and values, including the right to free,  
21 fair, and open elections, secret balloting, and uni-  
22 versal suffrage;

23 (2) promote and protect fundamental shared  
24 political, social, and economic freedoms, including

1 the freedoms of association, of expression, of the  
 2 press, of religion, and to own private property;

3 (3) promote and protect respect for the rule of  
 4 law;

5 (4) develop, adopt, and pursue strategies to ad-  
 6 vance common interests in international organiza-  
 7 tions and multilateral institutions to which members  
 8 of the alliance of democratic countries belong; and

9 (5) provide political, economic, and other nec-  
 10 essary support to countries that are undergoing a  
 11 transition to democracy.

12 (c) SENSE OF CONGRESS REGARDING PARTICIPA-  
 13 TION.—It is the sense of Congress that nondemocratic  
 14 countries should not participate in any association or  
 15 group of democratic countries aimed at working together  
 16 to promote democracy.

17 **SEC. 202. STRENGTHENING THE COMMUNITY OF DEMOC-**  
 18 **RACIES.**

19 (a) SENSE OF CONGRESS REGARDING FORMAL  
 20 MECHANISMS FOR THE COMMUNITY OF DEMOCRACIES.—  
 21 It is the sense of Congress that the Community of Demoe-  
 22 racies should develop a more formal mechanism for car-  
 23 rying out work between ministerial meetings, such as  
 24 through the creation of a permanent secretariat with ap-

1 appropriate staff to carry out such work, and should estab-  
2 lish a headquarters.

3 (b) DETAIL OF PERSONNEL.—The Secretary is au-  
4 thorized to detail on a nonreimbursable basis any em-  
5 ployee of the Department of State to any permanent secre-  
6 tariat of the Community of Democracies or to any country  
7 that is a member of the Convening Group of the Commu-  
8 nity of Democracies.

9 (c) SENSE OF CONGRESS REGARDING REGIONAL  
10 GROUP IN THE COMMUNITY OF DEMOCRACIES.—It is the  
11 sense of Congress that regional groups within the Commu-  
12 nity of Democracies should be established and strength-  
13 ened in order to facilitate coordination of common posi-  
14 tions and action on multilateral strategies to promote and  
15 consolidate democracy.

16 (d) INTERNATIONAL CENTER FOR DEMOCRATIC  
17 TRANSITION.—

18 (1) SENSE OF CONGRESS.—It is the sense of  
19 Congress that the United States should, along with  
20 contributions from private individuals, support the  
21 initiative of the Government of Hungary and the  
22 governments of other European countries to estab-  
23 lish a International Center for Democratic Transi-  
24 tion to support transitions to full democracy in non-

1 democratic countries and democratic transition  
2 countries.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—  
4 There is authorized to be appropriated for a grant  
5 to the International Center for Democratic Transi-  
6 tion \$1,000,000 for each of fiscal years 2008, 2009,  
7 and 2010. Amounts appropriated under this para-  
8 graph are authorized to remain available until ex-  
9 pended.

10 (e) SENSE OF CONGRESS REGARDING ESTABLISH-  
11 MENT OF OFFICE.—It is the sense of Congress that the  
12 Secretary should establish an office of multilateral democ-  
13 racy promotion to address issues related to the Commu-  
14 nity of Democracies and democracy promotion activities  
15 in international organizations, such as the United Nations.

16 **SEC. 203. INITIATIVES AT THE UNITED NATIONS.**

17 (a) UNITED NATIONS DEMOCRACY CAUCUS.—It is  
18 the sense of Congress that the United States should con-  
19 tinue to support a Democracy Caucus at the United Na-  
20 tions and that the creation of a Democracy Caucus in each  
21 international organization and multilateral institution of  
22 which the United States is a member will not only improve  
23 the internal governance of such organizations and institu-  
24 tions but will also strengthen the implementation of com-

1 mitments by such organizations and institutions regarding  
2 democracy and human rights.

3 (b) UNITED NATIONS DEMOCRACY FUND.—

4 (1) SENSE OF CONGRESS.—It is the sense of  
5 Congress that the United States should continue to  
6 contribute to and work with other countries to en-  
7 hance the goals and work of the United Nations De-  
8 mocracy Fund.

9 (2) AUTHORIZATION OF APPROPRIATIONS.—

10 There are authorized to be appropriated for each of  
11 fiscal years 2008 and 2009 such sums as may be  
12 necessary to provide for a United States contribution  
13 to the United Nations Democracy Fund.

## 14 **TITLE III—FUNDING FOR** 15 **PROMOTION OF DEMOCRACY**

### 16 **SEC. 301. POLICY.**

17 It shall be the policy of the United States to provide  
18 financial assistance to eligible entities and eligible individ-  
19 uals in order to promote democracy in nondemocratic  
20 countries and democratic transition countries.

### 21 **SEC. 302. HUMAN RIGHTS AND DEMOCRACY FUND.**

22 (a) SENSE OF CONGRESS REGARDING PURPOSES OF  
23 THE HUMAN RIGHTS AND DEMOCRACY FUND.—It is the  
24 sense of Congress that the Human Rights and Democracy  
25 Fund should continue to be used for innovative approaches

1 to promoting democracy and human rights and to support  
2 strategies developed pursuant to section 116 of the For-  
3 eign Assistance Act of 1961, as amended by section  
4 102(a)(1)(C) of this Act, in nondemocratic countries and  
5 democratic transition countries.

6 (b) ADMINISTRATIVE AUTHORITIES.—Assistance  
7 provided through the Human Rights and Democracy Fund  
8 may be provided to eligible entities and eligible individuals  
9 in foreign countries, notwithstanding any provision of law  
10 that prohibits assistance to a foreign country or to a gov-  
11 ernment of a foreign country.

12 (c) ANNUAL REPORT ON THE STATUS OF THE  
13 HUMAN RIGHTS AND DEMOCRACY FUND.—Not later than  
14 60 days after the conclusion of each fiscal year, the Assist-  
15 ant Secretary of State for Democracy, Human Rights, and  
16 Labor shall submit to the appropriate congressional com-  
17 mittees an annual report on the status of the Human  
18 Rights and Democracy Fund. Each such annual report  
19 shall contain the following information:

20 (1) An identification of each eligible entity and  
21 eligible individual who received assistance during the  
22 previous fiscal year under subsection (b) and a sum-  
23 mary of the activities of each such recipient.

1           (2) An account of projects funded and outside  
2       contributions received during the previous fiscal  
3       year.

4           (3) A balance sheet of income and outlays cur-  
5       rent as of the conclusion of the fiscal year to which  
6       such report is relevant.

7       (d) AUTHORIZATION OF APPROPRIATIONS.—

8           (1) IN GENERAL.—Of the funds available to  
9       carry out chapter 4 of Part II of the Foreign Assist-  
10      ance Act of 1961 for each of fiscal years 2008 and  
11      2009, there are authorized to be appropriated to the  
12      Human Rights and Democracy Fund to carry out  
13      the purposes of this section \$50,000,000 for fiscal  
14      year 2008 and \$60,000,000 for fiscal year 2009.  
15      Amounts appropriated under this section are author-  
16      ized to remain available until expended.

17          (2) ADMINISTRATIVE EXPENSES.—Not more  
18      than five percent of amounts appropriated to the  
19      Human Rights and Democracy Fund for each fiscal  
20      year may be applied toward administrative expenses  
21      associated with carrying out this section.

22          (3) CONTRIBUTIONS.—The Secretary may ac-  
23      cept contributions to the Human Rights and Democ-  
24      racy Fund from the governments of other demo-  
25      cratic countries, private foundations, private citizens,

1 and other nongovernmental sources. Any such con-  
2 tributions shall be merged into such Fund and shall  
3 be available to the same extent and under the same  
4 conditions as other amounts available to the Fund.

5 **SEC. 303. INSTRUMENTS FOR PROVIDING DEMOCRACY AS-**  
6 **SISTANCE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Democracy assistance has many different  
9 forms, including assistance to promote the rule of  
10 law, build the capacity of civil society, political par-  
11 ties, and legislatures, improve the independence of  
12 the media and the judiciary, enhance independent  
13 auditing functions, and advance security sector re-  
14 form.

15 (2) Assistance through United States non-gov-  
16 ernmental organizations in the form of grants and  
17 cooperative agreements can play a key role in that  
18 such organizations frequently have long-standing re-  
19 lationships with individuals and nongovernmental or-  
20 ganizations that support democratic principles, prac-  
21 tices, and values in foreign countries, and have other  
22 means that enable them to foster those relationships,  
23 and allow assistance to be provided without direct  
24 government involvement that could undermine the



1 purpose of such assistance (by, for example, creating  
2 an appearance of outside interference).

3 (3) Contracts and other acquisition mecha-  
4 nisms, because of their more direct association with  
5 and control by the United States Government, may  
6 not be as effective as non-governmental organiza-  
7 tions in working to build the political capacity of  
8 civil society, political parties, and legislatures, but  
9 have an appropriate role to play in providing certain  
10 technical solutions and related assistance in such  
11 areas as fostering independence of the judiciary, pro-  
12 viding modern infrastructures for parliaments, in-  
13 creasing capacity of executive auditing functions,  
14 and working in other government-to-government  
15 areas where the involvement of United States offi-  
16 cials and employees is appropriate.

17 (4) There is a need for greater clarity on the  
18 proper roles for such methods in order to improve  
19 the effectiveness of United States democracy assist-  
20 ance.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-  
22 gress that the Secretary and the Administrator of the  
23 United States Agency for International Development  
24 should develop guidelines, in consultation with the appro-  
25 priate congressional committees, building on the existing

1 framework for grants, cooperative agreements, and con-  
2 tracts and other acquisition mechanisms to clarify for dip-  
3 lomatic and consular missions abroad the appropriate  
4 roles for the methods referred to in subsection (a) with  
5 respect to democracy assistance, including taking into ac-  
6 count the advantages of each such method.

## 7 **TITLE IV—PRESIDENTIAL** 8 **ACTIONS**

### 9 **SEC. 401. INVESTIGATION OF VIOLATIONS OF INTER-** 10 **NATIONAL HUMANITARIAN LAW.**

11 (a) IN GENERAL.—The President, with the assist-  
12 ance of the Secretary, the Under Secretary of State for  
13 Democracy and Global Affairs, and the Ambassador-at-  
14 Large for War Crimes Issues, shall collect information re-  
15 garding incidents that may constitute crimes against hu-  
16 manity, genocide, slavery, or other violations of inter-  
17 national humanitarian law by leaders or other government  
18 officials of nondemocratic countries or democratic transi-  
19 tion countries.

20 (b) ACCOUNTABILITY.—The President shall consider  
21 what actions can be taken to ensure that such leaders or  
22 other government officials of foreign countries who are  
23 identified in accordance with subsection (a) as responsible  
24 for crimes against humanity, genocide, slavery, or other  
25 violations of international humanitarian law are brought

1 to account for such crimes in an appropriately constituted  
2 tribunal, including enhancing the capacity of United  
3 States diplomatic missions to implement restrictions on  
4 assistance to individuals or entities, including military  
5 units, that commit gross violations of human rights, such  
6 as through training on the use of existing databases for  
7 documenting and monitoring such violations.

○

Chairman LANTOS. H.R. 982 continues bipartisan reform efforts begun in the last Congress to ensure that U.S. programs to protect human rights and promote democracy have a strategic framework. These efforts directly involve our best diplomats and are done in coordination with democracy advocates and like-minded countries.

I am very pleased to have worked closely with my good friend and colleague, the distinguished ranking member of this committee, Ms. Ros-Lehtinen, on this legislation. Our legislation requires the development of long-term country strategies designed in consultation with local democracy and human rights groups to ensure that they focus on the growth of democratic institutions and not just elections. It also provides for enhanced training, personnel incentives for our diplomats, and a boosted effort to work with other countries in protecting human rights and promoting democracy.

It requires that our ambassadors go out into the field and talk directly to people in foreign countries about human rights and democracy. If I may just add a footnote, during the crucial years surrounding the collapse of the Soviet Empire, we happened to have had, in my native country of Hungary, an extraordinary American diplomat, Ambassador Mark Palmer, who not only mastered the incredibly complex language of the country, but traveled to every town and village across that country, and the degree of popularity that he personally attained, and the degree of goodwill that the United States had, partly as a result of his activities, were extraordinary.

Now, we cannot anticipate that every ambassador in every country will be able to duplicate Ambassador Mark Palmer's extraordinary achievements, but he serves as a model of what a U.S. Ambassador who gets out of the Embassy, speaks the language, understands the culture, and mixes with the people can do, both for the promotion of democracy and human rights and for good relations between the United States and the country where he serves.

I strongly urge all of my colleagues to support this legislation, and now I am pleased to hear from my friend, the ranking member and the Republican co-sponsor of this legislation, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. During the last Congress, I was proud to co-sponsor H.R. 1133, the original ADVANCE Democracy Act, introduced by Congressman Frank Wolf, which later passed the House, in modified form, as part of H.R. 2601, the State Department Authorization Bill.

I want to thank Chairman Lantos and his staff for their critical role in drafting that original bill and their work to update, modify, and introduce it as H.R. 982, which I am pleased to co-sponsor, as the chairman pointed out.

The bill seeks to prioritize democracy promotion and the work and strategic planning of the Department of State and in the training, assignment, and promotion of Foreign Service officers. It seeks to enhance U.S. cooperation with other democratic countries, such as the Community of Democracies.

It continues U.S. support for the Democracy Caucus and the Democracy Fund at the United Nations, and it enhances U.S. funding

for democracy promotion through the Human Rights and Democracy Fund.

I thank the chairman for accepting my suggestion that authorization for the fund, while robust, should be kept within the House-passed levels contained in H.R. 2601. Although the ADVANCE Democracy Act did not become law last Congress, it did get the attention of the State Department, which worked to internalize some of the priorities outlined in this bill. But even in those areas, this bill remains necessary to consolidate those gains and law so that they can outlast the current administration.

Advancing the cause of democracy is one of our greatest opportunities and obligations as Americans. For that reason, Mr. Chairman, the ADVANCE Democracy Act deserves our unanimous support. I thank the chairman for the time.

Chairman LANTOS. I thank my friend from Florida, and before moving on, I want to publicly express my deep appreciation to the chief counsel of the committee, David Abramowitz, for his extraordinary work on this legislation and, indeed, every piece of legislation that will come before us today.

Are there any amendments?

[No response.]

Chairman LANTOS. If there are no amendments, a question occurs on the motion to report the bill favorably. All in favor, say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed, say no.

[Pause.]

Chairman LANTOS. The ayes have it, and the motion to report favorably is adopted.

Pursuant to notice, I call up the bill, H.R. 1469, the Senator Paul Simon Study Abroad Foundation Act of 2007, for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point. I yield myself 5 minutes to explain this legislation.

[H.R. 1469 follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 1469

To establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2007

Mr. LANTOS (for himself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senator Paul Simon  
5 Study Abroad Foundation Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) According to President George W. Bush,  
9 “America’s leadership and national security rest on  
10 our commitment to educate and prepare our youth

1 for active engagement in the international commu-  
2 nity.”.

3 (2) According to former President William J.  
4 Clinton, “Today, the defense of United States inter-  
5 ests, the effective management of global issues, and  
6 even an understanding of our Nation’s diversity re-  
7 quire ever-greater contact with, and understanding  
8 of, people and cultures beyond our borders.”.

9 (3) Congress authorized the establishment of  
10 the Commission on the Abraham Lincoln Study  
11 Abroad Fellowship Program pursuant to section 104  
12 of the Miscellaneous Appropriations and Offsets Act,  
13 2004 (division H of Public Law 108–199). Pursuant  
14 to its mandate, the Lincoln Commission has sub-  
15 mitted to Congress and the President a report of its  
16 recommendations for greatly expanding the oppor-  
17 tunity for students at institutions of higher edu-  
18 cation in the United States to study abroad, with  
19 special emphasis on studying in developing nations.

20 (4) According to the Lincoln Commission,  
21 “[s]tudy abroad is one of the major means of pro-  
22 ducing foreign language speakers and enhancing for-  
23 eign language learning” and, for that reason, “is  
24 simply essential to the [N]ation’s security”.

1           (5) Studies consistently show that United  
2 States students score below their counterparts in  
3 other advanced countries on indicators of inter-  
4 national knowledge. This lack of global literacy is a  
5 national liability in an age of global trade and busi-  
6 ness, global interdependence, and global terror.

7           (6) Americans believe that it is important for  
8 their children to learn other languages, study  
9 abroad, attend a college where they can interact with  
10 international students, learn about other countries  
11 and cultures, and generally be prepared for the glob-  
12 al age.

13          (7) In today's world, it is more important than  
14 ever for the United States to be a responsible, con-  
15 structive leader that other countries are willing to  
16 follow. Such leadership cannot be sustained without  
17 an informed citizenry with significant knowledge and  
18 awareness of the world.

19          (8) Study abroad has proven to be a very effec-  
20 tive means of imparting international and foreign-  
21 language competency to students.

22          (9) In any given year, only approximately one  
23 percent of all students enrolled in United States in-  
24 stitutions of higher education study abroad.



1           (10) Less than 10 percent of the students who  
2       graduate from United States institutions of higher  
3       education with bachelors degrees have studied  
4       abroad.

5           (11) Far more study abroad must take place in  
6       developing countries. Ninety-five percent of the  
7       world's population growth over the next 50 years  
8       will occur outside of Europe. Yet in the academic  
9       year 2004–2005, 60 percent of United States stu-  
10      dents studying abroad studied in Europe, and 45  
11      percent studied in four countries—the United King-  
12      dom, Italy, Spain, and France—according to the In-  
13      stitute of International Education.

14          (12) The Final Report of the National Commis-  
15      sion on Terrorist Attacks Upon the United States  
16      (The 9/11 Commission Report) recommended that  
17      the United States increase support for “scholarship,  
18      exchange, and library programs”. The 9/11 Public  
19      Discourse Project, successor to the 9/11 Commis-  
20      sion, noted in its November 14, 2005, status report  
21      that this recommendation was “unfulfilled,” and  
22      stated that “The U.S. should increase support for  
23      scholarship and exchange programs, our most power-  
24      ful tool to shape attitudes over the course of a gen-  
25      eration.”. In its December 5, 2005, Final Report on

1 the 9/11 Commission Recommendations, the 9/11  
2 Public Discourse Project gave the government a  
3 grade of “D” for its implementation of this rec-  
4 ommendation.

5 (13) Investing in a national study abroad pro-  
6 gram would help turn a grade of “D” into an “A”  
7 by equipping United States students to communicate  
8 United States values and way of life through the  
9 unique dialogue that takes place among citizens  
10 from around the world when individuals study  
11 abroad.

12 (14) An enhanced national study abroad pro-  
13 gram could help further the goals of other United  
14 States Government initiatives to promote edu-  
15 cational, social, and political reform and the status  
16 of women in developing and reforming societies  
17 around the world, such as the Middle East Partner-  
18 ship Initiative.

19 **SEC. 3. PURPOSES.**

20 The purposes of this Act are—

21 (1) to significantly enhance the global competi-  
22 tiveness and international knowledge base of the  
23 United States by ensuring that more United States  
24 students have the opportunity to acquire foreign lan-

1       guage skills and international knowledge through  
2       significantly expanded study abroad;

3               (2) to enhance the foreign policy capacity of the  
4       United States by significantly expanding and diversi-  
5       fying the talent pool of individuals with non-tradi-  
6       tional foreign language skills and cultural knowledge  
7       in the United States who are available for recruit-  
8       ment by United States foreign affairs agencies, leg-  
9       islative branch agencies, and nongovernmental orga-  
10      nizations involved in foreign affairs activities;

11              (3) to ensure that an increasing portion of  
12      study abroad by United States students will take  
13      place in nontraditional study abroad destinations  
14      such as the People's Republic of China, countries of  
15      the Middle East region, and developing countries;  
16      and

17              (4) to create greater cultural understanding of  
18      the United States by exposing foreign students and  
19      their families to United States students in countries  
20      that have not traditionally hosted large numbers of  
21      United States students.

22   **SEC. 4. DEFINITIONS.**

23       In this Act:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2       TEES.—The term “appropriate congressional com-  
3       mittees” means—

4           (A) the Committee on Foreign Affairs and  
5           the Committee on Appropriations of the House  
6           of Representatives; and

7           (B) the Committee on Foreign Relations  
8           and the Committee on Appropriations of the  
9           Senate.

10          (2) BOARD.—The term “Board” means the  
11       Board of Directors of the Foundation established  
12       pursuant to section 5(d).

13          (3) CHIEF EXECUTIVE OFFICER.—The term  
14       “Chief Executive Officer” means the chief executive  
15       officer of the Foundation appointed pursuant to sec-  
16       tion 5(e).

17          (4) FOUNDATION.—The term “Foundation”  
18       means the Senator Paul Simon Study Abroad Foun-  
19       dation established by section 5(a).

20          (5) INSTITUTION OF HIGHER EDUCATION.—The  
21       term “institution of higher education” has the  
22       meaning given the term in section 101(a) of the  
23       Higher Education Act of 1965 (20 U.S.C. 1001(a)).

24          (6) NONTRADITIONAL STUDY ABROAD DESTINA-  
25       TION.—The term “nontraditional study abroad des-

1       tination” means a location that is determined by the  
2       Foundation to be a less common destination for  
3       United States students who study abroad.

4               (7) STUDY ABROAD.—The term “study abroad”  
5       means an educational program of study, work, re-  
6       search, internship, or combination thereof that is  
7       conducted outside the United States and that carries  
8       academic credit toward fulfilling the participating  
9       student’s degree requirements.

10              (8) UNITED STATES.—The term “United  
11       States” means any of the several States, the District  
12       of Columbia, Puerto Rico, the Northern Mariana Is-  
13       lands, the Virgin Islands, Guam, American Samoa,  
14       and any other territory or possession of the United  
15       States.

16              (9) UNITED STATES STUDENT.—The term  
17       “United States student” means a national of the  
18       United States who is enrolled at an institution of  
19       higher education located within the United States.

20 **SEC. 5. ESTABLISHMENT AND MANAGEMENT OF THE SEN-**  
21 **ATOR PAUL SIMON STUDY ABROAD FOUNDA-**  
22 **TION.**

23       (a) ESTABLISHMENT.—

24              (1) IN GENERAL.—There is established in the  
25       executive branch a corporation to be known as the

1 “Senator Paul Simon Study Abroad Foundation”  
2 that shall be responsible for carrying out this Act  
3 under the authorities of the Mutual Educational and  
4 Cultural Exchange Act of 1961 (22 U.S.C. 2451 et  
5 seq.). The Foundation shall be a government cor-  
6 poration, as defined in section 103 of title 5, United  
7 States Code.

8 (2) BOARD OF DIRECTORS.—The Foundation  
9 shall be governed by a Board of Directors chaired by  
10 the Secretary of State (or the Secretary’s designee)  
11 in accordance with subsection (d).

12 (3) INTENT OF CONGRESS.—It is the intent of  
13 Congress in establishing the structure of the Foun-  
14 dation set forth in this subsection to create an entity  
15 that will administer a study abroad program that—

16 (A) serves the long-term foreign policy and  
17 national security needs of the United States;  
18 but

19 (B) operates independently of short-term  
20 political and foreign policy considerations.

21 (b) MANDATE OF FOUNDATION.—In administering  
22 the program referred to in subsection (a)(3), the Founda-  
23 tion shall—

24 (1) promote the objectives and purposes of this  
25 Act;

1 (2) through responsive, flexible grant-making,  
2 promote access to study abroad opportunities by  
3 United States students at diverse institutions of  
4 higher education, including two-year institutions, mi-  
5 nority-serving institutions, and institutions that  
6 serve nontraditional students;

7 (3) through creative grant-making, promote ac-  
8 cess to study abroad opportunities by diverse United  
9 States students, including minority students, stu-  
10 dents of limited financial means, and nontraditional  
11 students;

12 (4) raise funds from the private sector to sup-  
13 plement funds made available under this Act; and

14 (5) be committed to minimizing administrative  
15 costs and to maximizing the availability of funds for  
16 grants under this Act.

17 (c) CHIEF EXECUTIVE OFFICER.—

18 (1) IN GENERAL.—There shall be in the Foun-  
19 dation a Chief Executive Officer who shall be re-  
20 sponsible for the management of the Foundation.

21 (2) APPOINTMENT.—The Chief Executive Offi-  
22 cer shall be appointed by the Board and shall be a  
23 recognized leader in higher education, business, or  
24 foreign policy, chosen on the basis of a rigorous  
25 search.

1           (3) RELATIONSHIP TO BOARD.—The Chief Ex-  
2       ecutive Officer shall report to and be under the di-  
3       rect authority of the Board.

4           (4) COMPENSATION AND RANK.—

5           (A) IN GENERAL.—The Chief Executive  
6       Officer shall be compensated at the rate pro-  
7       vided for level III of the Executive Schedule  
8       under section 5314 of title 5, United States  
9       Code.

10          (B) AMENDMENT.—Section 5314 of title  
11       5, United States Code, is amended by adding at  
12       the end the following:

13       “Chief Executive Officer, Senator Paul Simon  
14       Study Abroad Foundation.”.

15          (5) AUTHORITIES AND DUTIES.—The Chief Ex-  
16       ecutive Officer shall be responsible for the manage-  
17       ment of the Foundation and shall exercise the pow-  
18       ers and discharge the duties of the Foundation.

19          (6) AUTHORITY TO APPOINT OFFICERS.—In  
20       consultation and with approval of the Board, the  
21       Chief Executive Officer shall appoint all officers of  
22       the Foundation.

23          (d) BOARD OF DIRECTORS.—

24           (1) ESTABLISHMENT.—There shall be in the  
25       Foundation a Board of Directors.



1           (2) DUTIES.—The Board shall perform the  
2 functions specified to be carried out by the Board in  
3 this Act and may prescribe, amend, and repeal by-  
4 laws, rules, regulations, and procedures governing  
5 the manner in which the business of the Foundation  
6 may be conducted and in which the powers granted  
7 to it by law may be exercised.

8           (3) MEMBERSHIP.—The Board shall consist  
9 of—

10           (A) the Secretary of State (or the Sec-  
11 retary’s designee), the Secretary of Education  
12 (or the Secretary’s designee), the Secretary of  
13 Defense (or the Secretary’s designee), and the  
14 Administrator of the United States Agency for  
15 International Development (or the Administra-  
16 tor’s designee); and

17           (B) five other individuals with relevant ex-  
18 perience in matters relating to study abroad  
19 (such as individuals who represent institutions  
20 of higher education, business organizations, for-  
21 eign policy organizations, or other relevant or-  
22 ganizations) who shall be appointed by the  
23 President, by and with the advice and consent  
24 of the Senate, of which—

1 (i) one individual shall be appointed  
2 from among a list of individuals submitted  
3 by the majority leader of the House of  
4 Representatives;

5 (ii) one individual shall be appointed  
6 from among a list of individuals submitted  
7 by the minority leader of the House of  
8 Representatives;

9 (iii) one individual shall be appointed  
10 from among a list of individuals submitted  
11 by the majority leader of the Senate; and

12 (iv) one individual shall be appointed  
13 from among a list of individuals submitted  
14 by the minority leader of the Senate.

15 (4) CHIEF EXECUTIVE OFFICER.—The Chief  
16 Executive Officer of the Foundation shall serve as a  
17 nonvoting, ex officio member of the Board.

18 (5) TERMS.—

19 (A) OFFICERS OF THE FEDERAL GOVERN-  
20 MENT.—Each member of the Board described  
21 in paragraph (3)(A) shall serve for a term that  
22 is concurrent with the term of service of the in-  
23 dividual's position as an officer within the other  
24 Federal department or agency.

1 (B) OTHER MEMBERS.—Each member of  
2 the Board described in paragraph (3)(B) shall  
3 be appointed for a term of 3 years and may be  
4 reappointed for a term of an additional 3 years.

5 (C) VACANCIES.—A vacancy in the Board  
6 shall be filled in the manner in which the origi-  
7 nal appointment was made.

8 (6) CHAIRPERSON.—There shall be a Chair-  
9 person of the Board. The Secretary of State (or the  
10 Secretary’s designee) shall serve as the Chairperson.

11 (7) QUORUM.—A majority of the members of  
12 the Board described in paragraph (3) shall con-  
13 stitute a quorum, which, except with respect to a  
14 meeting of the Board during the 135-day period be-  
15 ginning on the date of the enactment of this Act,  
16 shall include at least one member of the Board de-  
17 scribed in paragraph (3)(B).

18 (8) MEETINGS.—The Board shall meet at the  
19 call of the Chairperson.

20 (9) COMPENSATION.—

21 (A) OFFICERS OF THE FEDERAL GOVERN-  
22 MENT.—

23 (i) IN GENERAL.—A member of the  
24 Board described in paragraph (3)(A) may  
25 not receive additional pay, allowances, or

1 benefits by reason of the member's service  
2 on the Board.

3 (ii) TRAVEL EXPENSES.—Each such  
4 member of the Board shall receive travel  
5 expenses, including per diem in lieu of sub-  
6 sistence, in accordance with applicable pro-  
7 visions under subchapter I of chapter 57 of  
8 title 5, United States Code.

9 (B) OTHER MEMBERS.—

10 (i) IN GENERAL.—Except as provided  
11 in clause (ii), a member of the Board de-  
12 scribed in paragraph (3)(B)—

13 (I) shall be paid compensation  
14 out of funds made available for the  
15 purposes of this Act at the daily  
16 equivalent of the highest rate payable  
17 under section 5332 of title 5, United  
18 States Code, for each day (including  
19 travel time) during which the member  
20 is engaged in the actual performance  
21 of duties as a member of the Board;  
22 and

23 (II) while away from the mem-  
24 ber's home or regular place of busi-  
25 ness on necessary travel in the actual

1 performance of duties as a member of  
2 the Board, shall be paid per diem,  
3 travel, and transportation expenses in  
4 the same manner as is provided under  
5 subchapter I of chapter 57 of title 5,  
6 United States Code.

7 (ii) LIMITATION.—A member of the  
8 Board may not be paid compensation  
9 under clause (i)(II) for more than 90 days  
10 in any calendar year.

11 **SEC. 6. ESTABLISHMENT AND OPERATION OF PROGRAM.**

12 (a) ESTABLISHMENT OF THE PROGRAM.—There is  
13 hereby established a program, which shall—

14 (1) be administered by the Foundation; and

15 (2) award grants to—

16 (A) United States students for study  
17 abroad;

18 (B) nongovernmental institutions that pro-  
19 vide and promote study abroad opportunities  
20 for United States students, in consortium with  
21 institutions described in subparagraph (C); and

22 (C) institutions of higher education, indi-  
23 vidually or in consortium,

24 in order to accomplish the objectives set forth in  
25 subsection (b).

1 (b) OBJECTIVES.—The objectives of the program es-  
2 tablished under subsection (a) are that, within 10 years  
3 of the date of the enactment of this Act—

4 (1) not less than one million undergraduate  
5 United States students will study abroad annually  
6 for credit;

7 (2) the demographics of study-abroad participa-  
8 tion will reflect the demographics of the United  
9 States undergraduate population, including students  
10 enrolled in community colleges, minority-serving in-  
11 stitutions, and institutions serving large numbers of  
12 low-income and first-generation students; and

13 (3) an increasing portion of study abroad will  
14 take place in nontraditional study abroad destina-  
15 tions, with a substantial portion of such increases  
16 taking place in developing countries.

17 (c) MANDATE OF THE PROGRAM.—In order to ac-  
18 complish the objectives set forth in subsection (b), the  
19 Foundation shall, in administering the program estab-  
20 lished under subsection (a), take fully into account the rec-  
21 ommendations of the Commission on the Abraham Lincoln  
22 Study Abroad Fellowship Program (established pursuant  
23 to section 104 of the Miscellaneous Appropriations and  
24 Offsets Act, 2004 (division H of Public Law 108–199)).

1 (d) STRUCTURE OF GRANTS.—In accordance with  
2 the recommendations of the Commission on the Abraham  
3 Lincoln Study Abroad Fellowship Program, grants award-  
4 ed under the program established under subsection (a)  
5 shall be structured to the maximum extent practicable to  
6 promote appropriate reforms in institutions of higher edu-  
7 cation in order to remove barriers to participation by stu-  
8 dents in study abroad.

9 (e) BALANCE OF LONG-TERM AND SHORT-TERM  
10 STUDY ABROAD PROGRAMS.—In administering the pro-  
11 gram established under subsection (a), the Foundation  
12 shall seek an appropriate balance between—

13 (1) longer-term study abroad programs, which  
14 maximize foreign-language learning and intercultural  
15 understanding; and

16 (2) shorter-term study abroad programs, which  
17 maximize the accessibility of study abroad to non-  
18 traditional students.

19 **SEC. 7. ANNUAL REPORT.**

20 (a) REPORT REQUIRED.—Not later than March 31,  
21 2008, and each March 31 thereafter, the Foundation shall  
22 submit to the appropriate congressional committees a re-  
23 port on the implementation of this Act during the prior  
24 fiscal year.

1 (b) CONTENTS.—The report required by subsection

2 (a) shall include—

3 (1) the total financial resources available to the  
4 Foundation during the year, including appropriated  
5 funds, the value and source of any gifts or donations  
6 accepted pursuant to section 8(a)(6), and any other  
7 resources;

8 (2) a description of the Board's policy priorities  
9 for the year and the bases upon which competitive  
10 grant proposals were solicited and awarded to insti-  
11 tutions of higher education, nongovernmental insti-  
12 tutions, and consortiums pursuant to section  
13 6(a)(2)(B) and 6(a)(2)(C);

14 (3) a list of grants made to institutions of high-  
15 er education, nongovernmental institutions, and con-  
16 sortiums pursuant to section 6(a)(2)(B) and  
17 6(a)(2)(C) that includes the identity of the institu-  
18 tional recipient, the dollar amount, and the esti-  
19 mated number of study abroad opportunities pro-  
20 vided to United States students by each grant;

21 (4) a description of the bases upon which the  
22 Foundation made grants directly to United States  
23 students pursuant to section 6(a)(2)(A);



1 (5) the number and total dollar amount of  
 2 grants made directly to United States students by  
 3 the Foundation pursuant to section 6(a)(2)(A); and

4 (6) the total administrative and operating ex-  
 5 penses of the Foundation for the year, as well as  
 6 specific information on—

7 (A) the number of Foundation employees  
 8 and the cost of compensation for Board mem-  
 9 bers, Foundation employees, and personal serv-  
 10 ice contractors;

11 (B) costs associated with securing the use  
 12 of real property for carrying out the functions  
 13 of the Foundation;

14 (C) total travel expenses incurred by Board  
 15 members and Foundation employees in connec-  
 16 tion with Foundation activities; and

17 (D) total representational expenses.

18 **SEC. 8. POWERS OF THE FOUNDATION; RELATED PROVI-**  
 19 **SIONS.**

20 (a) POWERS.—The Foundation—

21 (1) shall have perpetual succession unless dis-  
 22 solved by a law enacted after the date of the enact-  
 23 ment of this Act;

24 (2) may adopt, alter, and use a seal, which shall  
 25 be judicially noticed;

1           (3) may make and perform such contracts,  
2           grants, and other agreements with any person or  
3           government however designated and wherever situ-  
4           ated, as may be necessary for carrying out the func-  
5           tions of the Foundation;

6           (4) may determine and prescribe the manner in  
7           which its obligations shall be incurred and its ex-  
8           penses allowed and paid, including expenses for rep-  
9           resentation;

10          (5) may lease, purchase, or otherwise acquire,  
11          improve, and use such real property wherever situ-  
12          ated, as may be necessary for carrying out the func-  
13          tions of the Foundation;

14          (6) may accept cash gifts or donations of serv-  
15          ices or of property (real, personal, or mixed), tan-  
16          gible or intangible, for the purpose of carrying out  
17          the provisions of this Act;

18          (7) may use the United States mails in the  
19          same manner and on the same conditions as the ex-  
20          ecutive departments;

21          (8) may contract with individuals for personal  
22          services, who shall not be considered Federal em-  
23          ployees for any provision of law administered by the  
24          Office of Personnel Management;

1 (9) may hire or obtain passenger motor vehi-  
2 cles; and

3 (10) shall have such other powers as may be  
4 necessary and incident to carrying out this Act.

5 (b) PRINCIPAL OFFICE.—The Foundation shall  
6 maintain its principal office in the metropolitan area of  
7 Washington, District of Columbia.

8 (c) APPLICABILITY OF GOVERNMENT CORPORATION  
9 CONTROL ACT.—

10 (1) IN GENERAL.—The Foundation shall be  
11 subject to chapter 91 of subtitle VI of title 31,  
12 United States Code, except that the Foundation  
13 shall not be authorized to issue obligations or offer  
14 obligations to the public.

15 (2) CONFORMING AMENDMENT.—Section  
16 9101(3) of title 31, United States Code, is amended  
17 by adding at the end the following:

18 “(R) the Senator Paul Simon Study  
19 Abroad Foundation.”.

20 (d) INSPECTOR GENERAL.—

21 (1) IN GENERAL.—The Inspector General of  
22 the Department of State shall serve as Inspector  
23 General of the Foundation, and, in acting in such  
24 capacity, may conduct reviews, investigations, and

1 inspections of all aspects of the operations and ac-  
2 tivities of the Foundation.

3 (2) AUTHORITY OF THE BOARD.—In carrying  
4 out the responsibilities under this subsection, the In-  
5 spector General shall report to and be under the  
6 general supervision of the Board.

7 (3) REIMBURSEMENT AND AUTHORIZATION OF  
8 SERVICES.—

9 (A) REIMBURSEMENT.—The Foundation  
10 shall reimburse the Department of State for all  
11 expenses incurred by the Inspector General in  
12 connection with the Inspector General's respon-  
13 sibilities under this subsection.

14 (B) AUTHORIZATION FOR SERVICES.—Of  
15 the amount authorized to be appropriated  
16 under section 10(a) for a fiscal year, up to  
17 \$2,000,000 is authorized to be made available  
18 to the Inspector General of the Department of  
19 State to conduct reviews, investigations, and in-  
20 spections of operations and activities of the  
21 Foundation.

22 **SEC. 9. GENERAL PERSONNEL AUTHORITIES.**

23 (a) DETAIL OF PERSONNEL.—Upon request of the  
24 Chief Executive Officer, the head of an agency may detail  
25 any employee of such agency to the Foundation on a reim-

1 bursable basis. Any employee so detailed remains, for the  
2 purpose of preserving such employee's allowances, privi-  
3 leges, rights, seniority, and other benefits, an employee of  
4 the agency from which detailed.

5 (b) REEMPLOYMENT RIGHTS.—

6 (1) IN GENERAL.—An employee of an agency  
7 who is serving under a career or career conditional  
8 appointment (or the equivalent), and who, with the  
9 consent of the head of such agency, transfers to the  
10 Foundation, is entitled to be reemployed in such em-  
11 ployee's former position or a position of like senior-  
12 ity, status, and pay in such agency, if such  
13 employee—

14 (A) is separated from the Foundation for  
15 any reason, other than misconduct, neglect of  
16 duty, or malfeasance; and

17 (B) applies for reemployment not later  
18 than 90 days after the date of separation from  
19 the Foundation.

20 (2) SPECIFIC RIGHTS.—An employee who satis-  
21 fies paragraph (1) is entitled to be reemployed (in  
22 accordance with such paragraph) within 30 days  
23 after applying for reemployment and, on reemploy-  
24 ment, is entitled to at least the rate of basic pay to

1       which such employee would have been entitled had  
2       such employee never transferred.

3       (c) **HIRING AUTHORITY.**—Of persons employed by  
4 the Foundation, not to exceed 30 persons may be ap-  
5 pointed, compensated, or removed without regard to the  
6 civil service laws and regulations.

7       (d) **BASIC PAY.**—The Chief Executive Officer may fix  
8 the rate of basic pay of employees of the Foundation with-  
9 out regard to the provisions of chapter 51 of title 5,  
10 United States Code (relating to the classification of posi-  
11 tions), subchapter III of chapter 53 of such title (relating  
12 to General Schedule pay rates), except that no employee  
13 of the Foundation may receive a rate of basic pay that  
14 exceeds the rate for level IV of the Executive Schedule  
15 under section 5315 of such title.

16       (e) **DEFINITIONS.**—In this section—

17           (1) the term “agency” means an executive  
18 agency, as defined by section 105 of title 5, United  
19 States Code; and

20           (2) the term “detail” means the assignment or  
21 loan of an employee, without a change of position,  
22 from the agency by which such employee is employed  
23 to the Foundation.

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
3 are authorized to be appropriated to carry out this Act  
4 \$80,000,000 for fiscal year 2008 and each subsequent fis-  
5 cal year.

6 (b) ALLOCATION OF FUNDS.—

7 (1) IN GENERAL.—The Foundation may allo-  
8 cate or transfer to any agency of the United States  
9 Government any of the funds available for carrying  
10 out this Act. Such funds shall be available for obli-  
11 gation and expenditure for the purposes for which  
12 the funds were authorized, in accordance with au-  
13 thority granted in this Act or under authority gov-  
14 erning the activities of the United States Govern-  
15 ment agency to which such funds are allocated or  
16 transferred.

17 (2) NOTIFICATION.—The Foundation shall no-  
18 tify the appropriate congressional committees not  
19 less than 15 days prior to an allocation or transfer  
20 of funds pursuant to paragraph (1).

○

Chairman LANTOS. Today, the United States faces a deficit of cultural and linguistic knowledge that is a severe handicap in our effort to fight extremism around the globe and to keep America competitive in an increasingly global economy. Currently, hard as this may be to believe, only 1 percent of all U.S. college students study abroad. These privileged few also are largely limited in their study to a few select countries.

As a result, our foreign affairs agencies are hard pressed to find recruits who have firsthand understanding of critical cultures and languages, such as Arabic, Chinese, Pashtu, and Dari. H.R. 1469, the Senator Paul Simon Act, will seek to rectify this by vastly expanding the talent pool of young Americans with global skills. Having spent many years, in an earlier career, establishing California's Study Abroad program, I can personally attest to the transformative power of overseas educational experiences on college students.

Inspired by the recommendation of the congressionally chartered Lincoln Commission, H.R. 1469 will create a new, innovative, mission-driven, government corporation charged with democratizing study abroad the way the G.I. Bill democratized higher education.

Our act will create opportunities for students from diverse academic, socio-economic, and ethnic backgrounds and will significantly expand participation in Study Abroad programs in nontraditional destinations, particularly in the developing worlds. Our legislation has wide support among interest groups, and I strongly urge all of my colleagues to support it.

I am pleased to yield to the ranking member, the lead Republican co-sponsor of the legislation, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. Thank you for introducing H.R. 1469, the Senator Paul Simon Study Abroad Foundation Act of 2007, and we are so pleased to have in the audience today Senator Simon's son, Martin Simon. We are pleased that the family is going to carry on with the senator's important work.

Chairman LANTOS. Would Martin Simon please stand? We are deeply grateful for your presence.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman. And I appreciate the chairman's cooperation in incorporating into the base text my suggested language on congressional oversight, as well as definitions that make clear that the act is meant to help foreign study by American students. This act gives effect to key recommendations of the bipartisan, congressionally mandated report of the Abraham Lincoln Study Abroad Commission, as well as the 9-11 Commission Report.

Because of the increasing need for foreign language expertise, cultural knowledge, and better diplomacy, study abroad by more American students could help our nation's security and future leadership in the world. This act aims to dramatically increase the number and diversity of American students studying abroad, with an eventual goal of 1 million students per year, and ensures that most of the increase occurs in nontraditional and strategically important destinations, such as the Middle East and the developing world.



The act will establish the Simon Study Abroad Foundation, an independent U.S. Government corporation that can raise private sector funds to promote its work, freed from the large bureaucracies and short-term agendas of other U.S. agencies. By offering competitive grants to universities and educational consortiums, based on its priorities, the Foundation will generate broader interest among American schools in Study Abroad programs, leveraging an impact far greater than a direct grant study program for schools.

To ensure maximum transparency and efficiency, the Foundation will be subject to oversight by an inspector general and annual congressional reporting requirements.

In sum, this act represents a creative, forward-thinking initiative to protect American leadership and security in a fast-changing world, and I thank the chairman for authoring this bill.

Chairman LANTOS. I want to thank my colleague, and may I just say, on behalf of all of us who had the privilege of serving with Paul Simon, he was an inspiration to this body, and we are honored to name this legislation after Senator Paul Simon of Illinois.

Are there any amendments?

[No response.]

Chairman LANTOS. The question occurs on the motion to report the bill favorably. All in favor—

Mr. MANZULLO. I have a question.

Chairman LANTOS. Yes. The gentleman will proceed.

Mr. MANZULLO. Thank you. I noticed that this sets up a corporation—it is on pages 8 and 9—within the Mutual Educational and Cultural Exchange Act of 1961, along with a whole new board of directors, and these people get paid. The chief executive officer, at page 11, shall be compensated the rate provided for Level 3 of the Executive Schedule. And I guess what I do not understand is why we have to have a whole new group of bureaucrats that are set up for administering this program when, in fact, we have numerous other programs that are already working within the Federal Government?

Chairman LANTOS. I am very pleased, my friend asked the question, and I think I am qualified to answer his question.

For a period of 10 years, from 1962 to 1971, I first established, and then I directed, the California State Study Abroad program. It was more than a full-time job, and as a result of that program, we now have thousands of highly qualified individuals in our diplomatic service, in our businesses functioning abroad, at our universities teaching and in research positions, thousands of highly qualified American citizens who are fully familiar with the languages and cultures of countries ranging from Japan to Spain.

This is not a new bureaucracy. This is a long-overdue attempt to enlarge the proportion of American students who feel culturally convenient, comfortable at home in many other societies.

If you go to a small country, like Holland or Denmark, you will be stunned to find the vastly larger number of culturally and linguistically competent people than we have in dealing with other societies and other cultures.

This is not a new bureaucracy. It is a long-overdue, global educational effort to enable the next generation of Americans to be

able to function in an increasingly complex world, and if my friend will allow me to finish my answer, if we expect this to be done by people on the cheap, on the part time, on a pro forma basis, we would be building a singularly shaky foundation for a very important program.

Both the ranking member and I, and she can speak for herself, do not apologize for building a solid foundation for a long-overdue American program at a time when the United States' prestige, globally, is at an all-time low. I am happy to yield to my friend.

Mr. MANZULLO. Well, I am just trying to figure out how much the bureaucrats are going to take. With all respect, Mr. Chairman, it does state that there will be a brand-new CEO set up, that there will be a new board of directors, and that all of these people would get paid. How many students would be the beneficiaries of this program?

Chairman LANTOS. We are anticipating 1 million students to be the beneficiaries of the program——

Mr. MANZULLO. Under this program?

Chairman LANTOS. Yes, and with all due respect to my friend, we also get paid for the work we do, so I do not find it un-American that people who do an honest day's work for an important project get paid. I do not think this is un-American.

Mr. MANZULLO. I did not state it was un-American. I think it is American also that we look after what the taxpayers are actually paying for this. The reason I asked the question is, for example, for every million dollars that goes in the program, how much goes to the people administering it?

In addition to that, Mr. Chairman, in my freshman year of 1993, we had an extraordinary situation where we were trying to coordinate all of these student exchange programs. No one knew how many exchange programs existed. No one knew how much money was being used. No one knew the parameters of it. In fact, it ended up with a cut to all of the programs of about 20 to 25 percent. My goal back then was simply to find out how much money was being spent, and that was the reason I asked the question. I think it is a very fair——

Chairman LANTOS. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you. I thank the chairman. The gentleman brings up a very important question about the funding and the pay, and I would like to address that, if I may.

The act, the bill before us, does authorize \$80 million per year, authorizes, which is certainly a large investment, but it is substantially less than the total amount that was sought by the Lincoln Commission. They endorsed \$75 million in the first year, \$100 million the next year, and \$125 million per year from 2011 onward, and Foundation funding would still be subject to annual appropriation. This is the authorization.

A few further points, Mr. Chairman. For the board members, Federal employees who are on the board do not receive any additional compensation for serving on the board, and the members on the board who are non-Federal employees; they are paid at the daily rate only. That is the date that is set and published in *The Register*, and it says, on page 16: "Limitations. A member of the

board may not be paid compensation for more than 90 days in any calendar year.”

In other words, the board members will meet, and it is like getting a per diem for the meeting dates, and, at no time, could they get paid for more than 90 days for those meetings. There is a paid CEO, but the board members—there may be some confusion about that. It is almost a per diem that they get paid for attending the agenda and the Commission hearings of the Foundation. So there is a paid CEO, but the board members are just compensated at the daily rate.

Mr. MANZULLO. Is this a political appointment, or is it a career within the State Department itself?

Ms. ROS-LEHTINEN. It is an independent—let me get to the area, if I could.

Chairman LANTOS. It is an independent entity. It is not a State Department—

Mr. MANZULLO. Then the goal of the director would be also to raise money on the outside.

Ms. ROS-LEHTINEN. Correct. Private sector funds. Let me just yield to the chairman. Correct.

Mr. MANZULLO. Okay. Thank you.

Chairman LANTOS. Any other questions?

[No response.]

Chairman LANTOS. If not, the question occurs on the motion to report the bill favorably. All in favor, say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed, say no. The ayes have it, and the motion to report favorably is adopted.

Chairman LANTOS. Pursuant to notice, I call up the bill, H.R. 1405, the Wildlife GAINS Act of 2007, for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point. The amendment in the nature of a substitute, which the members have before them, will be considered as read and be considered as the original text for purposes of amendment. The Chair recognizes himself to briefly explain the bill.

[H.R. 1405 and the Amendment in the Nature of a Substitute to H.R. 1405 Offered by Mr. Lantos follow:]

110TH CONGRESS  
1ST SESSION

# H. R. 1405

To establish a wildlife global animal information network for surveillance internationally to combat the growing threat of emerging diseases that involve wild animals, such as bird flu, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2007

Ms. DELAURO (for herself, Mrs. LOWEY, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Mr. MCGOVERN, Mr. SERRANO, Mr. BLUMENAUER, Mr. MEEKS of New York, Ms. MCCOLLUM of Minnesota, Mr. WEXLER, Mr. MCHUGH, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Energy and Commerce, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a wildlife global animal information network for surveillance internationally to combat the growing threat of emerging diseases that involve wild animals, such as bird flu, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Wildlife Global Animal  
3 Information Network for Surveillance Act” or “Wildlife  
4 GAINS Act”.

5 **SEC. 2. FINDINGS.**

6       Congress finds that—

7           (1) the ongoing panzootic of highly pathogenic  
8 avian influenza (HPAI) strain H5N1 in Asia and  
9 Eurasia is a threat to global human health and the  
10 global poultry industry;

11          (2) the HPAI virus is capable of causing mas-  
12 sive avian die-offs, and response can easily involve  
13 the culling of tens of millions of domestic poultry or  
14 domestic waterfowl, resulting in significant economic  
15 losses;

16          (3) the fatality rate due to infection in humans  
17 may be 30 to 50 percent or more;

18          (4) it has long been known that wild birds are  
19 a reservoir host for avian influenza viruses world-  
20 wide;

21          (5) the 1918 pandemic, the most lethal of the  
22 three pandemics that killed over 40,000,000 people  
23 worldwide, was caused by an influenza virus that ini-  
24 tially jumped directly from birds to humans and sub-  
25 sequently evolved an ability to transmit from  
26 human-to-human;

1           (6) this precedent for an avian influenza virus  
2       to transmit directly from birds to humans, then  
3       spread among humans, significantly raises the con-  
4       cern about the current H5N1 influenza strain;

5           (7) increased surveillance, including on migra-  
6       tory birds, is critical to controlling avian influenza  
7       and preparing for other potential emerging infec-  
8       tious diseases;

9           (8) the capacity to proactively detect the  
10      threats could result in significantly improved disease  
11      prediction and prevention capabilities;

12          (9) international wildlife health surveillance  
13      does not clearly fall under the jurisdiction of any  
14      Federal or international agency;

15          (10) there is a continued inability to share real-  
16      time data across the human, agricultural, wildlife,  
17      and veterinary agencies on zoonotic threats;

18          (11) while surveillance at domestic poultry and  
19      domestic waterfowl production facilities and farms is  
20      an immediate and on-going monitoring need and is  
21      being supported through relevant agencies, surveil-  
22      lance in wild bird populations that may have been  
23      exposed to the virus is a critical component to deter-  
24      mine the spread of the virus, implement control

1 measures, and protect human, livestock, and wildlife  
2 health;

3 (12) monitoring and surveillance of wild migra-  
4 tory and resident water birds are critically important  
5 to identifying all strains of influenza viruses in wild  
6 birds as a library of possible genotypes, determining  
7 their role in the spread of the virus, and anticipating  
8 where outbreaks may occur to enhance preparedness;

9 (13) improving surveillance of wildlife health  
10 around the world would close significant jurisdic-  
11 tional and scientific gaps in current emerging infec-  
12 tious disease preparedness;

13 (14) other emerging diseases beyond bird flu  
14 merit similar attention, in terms of the potential  
15 threats to global public health as well as  
16 agribiosecurity and biodiversity;

17 (15) the majority of emerging infectious dis-  
18 eases identified in the past several decades have  
19 moved from wildlife to humans, largely due to  
20 human incursions into or alterations of wildlife habi-  
21 tats and hunting, consumption, and trade of wildlife  
22 species;

23 (16) the human immunodeficiency virus (HIV)  
24 virus moved from chimpanzees to humans via these  
25 mechanisms;

1           (17) many factors contribute to disease emer-  
2       gence and spread from wildlife to domestic animals  
3       and humans, including environmental degradation  
4       and the handling, consumption, and trade of wildlife  
5       and wildlife-derived products;

6           (18) from avian influenza to the severe acute  
7       respiratory syndrome (SARS), from bovine tuber-  
8       culosis to the Ebola virus, and from HIV/AIDS to  
9       monkey pox, a long list of zoonotic diseases nega-  
10      tively impacts people's lives and livelihoods and costs  
11      the global economy billions of dollars; and

12          (19) the Government of the United States lacks  
13      a comprehensive program to monitor wildlife health  
14      around the world, a program that could proactively  
15      inform preparedness not just in the case of a poten-  
16      tial H5N1 influenza strain pandemic, but also for a  
17      broader array of emerging infectious disease threats  
18      that often arise at the interface between wildlife, hu-  
19      mans, and their domestic animals.

20 **SEC. 3. PURPOSE.**

21      The purpose of this Act is to establish a Wildlife  
22      Global Animal Information Network for Surveillance—

23          (1) to more rapidly and efficiently detect,  
24      verify, and report on the presence of infectious dis-



1 cases, such as highly pathogenic avian influenza, in  
2 birds and other wildlife around the world;

3 (2) to use information on pathogens found dur-  
4 ing surveillance of wildlife to better delineate poten-  
5 tial threats to domestic animals, humans, as well as  
6 wildlife itself;

7 (3) to use information on when and where  
8 HPAI and other pathogens of concern are identified  
9 in wildlife—

10 (A) to better guide preparedness in the  
11 United States and around the world; and

12 (B) to carry out a strategic wildlife health  
13 surveillance initiative that will provide regions,  
14 countries, and specific locations with early  
15 warning information that will help target re-  
16 sources toward enhancement of agribiosecurity,  
17 surveillance, public health vigilance, and related  
18 areas;

19 (4) to create an open access database within  
20 which information on HPAI and other pathogens of  
21 interest identified in wild birds and other wildlife  
22 can be shared as close to real time as possible;

23 (5) to protect the health and safety of United  
24 States citizens and officials traveling or living  
25 abroad; and

1 (6) to protect the economic interests of the  
2 United States and its partners from threats to  
3 health, agriculture, and natural resources, including  
4 wildlife itself.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) ADMINISTRATOR.—The term “Adminis-  
8 trator” means the Administrator of the United  
9 States Agency for International Development, acting  
10 in partnership with an eligible organization.

11 (2) ELIGIBLE ORGANIZATION.—The term “eligi-  
12 ble organization” means a nongovernmental wildlife  
13 conservation organization chartered in the United  
14 States with—

15 (A) extensive global wildlife health experi-  
16 ence in tracking disease in wild birds and other  
17 wildlife, including free-ranging, captive, and  
18 wild bird species;

19 (B) proven ability in identifying avian in-  
20 fluenza, Ebola virus, and other pathogens in  
21 wild birds or other wildlife;

22 (C) experience managing and implementing  
23 similar wildlife surveillance activities under the  
24 auspices of the United States Agency for Inter-  
25 national Development; and

1 (D) accredited zoological facilities in the  
2 United States.

3 (3) HPAI.—The term “HPAI” means highly  
4 pathogenic avian influenza.

5 (4) WILDLIFE GAINS.—The term “Wildlife  
6 GAINS” means the Wildlife Global Animal Informa-  
7 tion Network for Surveillance established under sec-  
8 tion 5(a).

9 (5) WILDLIFE GAINS PARTNERS.—The term  
10 “Wildlife GAINS partners” means the partners of  
11 the Wildlife GAINS described in section 5(b).

12 **SEC. 5. WILDLIFE GLOBAL ANIMAL INFORMATION NET-**  
13 **WORK FOR SURVEILLANCE.**

14 (a) ESTABLISHMENT.—Not later than 90 days after  
15 the date of enactment of this Act, the Administrator shall  
16 offer to enter into a contract with 1 or more eligible orga-  
17 nizations to establish a Wildlife Global Animal Informa-  
18 tion Network for Surveillance.

19 (b) PARTNERS.—In administering the Wildlife  
20 GAINS, the Administrator and the eligible organization  
21 shall collaborate with appropriate—

22 (1) Federal and State agency partners,  
23 including—

24 (A) the Department of Agriculture, acting  
25 through—

1 (i) the Agricultural Research Service;

2 and

3 (ii) the Animal and Plant Health In-

4 spection Service;

5 (B) the Department of Health and Human

6 Services, acting through the Centers for Dis-

7 ease Control and Prevention;

8 (C) the Department of Homeland Security;

9 (D) the Department of Defense;

10 (E) the Department of the Interior, acting

11 through—

12 (i) the United States Geological Sur-

13 vey; and

14 (ii) the United States Fish and Wild-

15 life Service; and

16 (F) various State wildlife agencies in the

17 United States;

18 (2) multilateral agency partners, including—

19 (A) the Food and Agriculture Organiza-

20 tion;

21 (B) the World Health Organization;

22 (C) the Office International des Epizooties,

23 the world animal health organization; and

24 (D) the World Conservation Union;

1           (3) conservation organizations with expertise in  
2       international and domestic wildlife monitoring and  
3       surveillance;

4           (4) accredited colleges of veterinary medicine  
5       and medicine; and

6           (5) other national and international partners,  
7       as necessary.

8       (c) INTERNATIONAL SURVEILLANCE.—The eligible  
9       organization, in coordination with the United States Agen-  
10      cy for International Development, shall manage an inter-  
11      national surveillance program under which Federal Wild-  
12      life GAINS partners shall, and non-Federal Wildlife  
13      GAINS partners are encouraged to—

14           (1) monitor and test for the presence or arrival  
15       of avian influenza and other significant avian patho-  
16       gens at important bird areas around the world and  
17       in marketplaces with intense trade in wild birds;

18           (2) monitor and test for the presence or arrival  
19       of other significant pathogens in free-ranging wild-  
20       life and in places with intense trade in wild animals;

21           (3) use trained professionals to collect samples  
22       and other data and send samples to appropriate di-  
23       agnostic centers;

1 (4) use the Wildlife GAINS, in partnership with  
2 relevant agencies and organizations, for  
3 conducting—

4 (A) disease surveillance activities on migra-  
5 tory birds and other wildlife worldwide;

6 (B) domestic and international field inves-  
7 tigations on migratory birds and other wildlife;

8 (C) training and capacity-building activi-  
9 ties related to the relationships between human  
10 health, domestic animal health, and wildlife  
11 health; and

12 (D) research on methods and approaches  
13 for detection and enhanced surveillance of  
14 HPAI and other pathogens in migratory birds  
15 and other wildlife; and

16 (5) send samples for pathogen identification  
17 and testing to certified laboratories that—

18 (A) meet internationally established meth-  
19 ods standards;

20 (B) are located at—

21 (i) the Centers for Disease Control  
22 and Prevention;

23 (ii) the Office International des  
24 Epizooties, the world animal health organi-  
25 zation;

1 (iii) the Food and Agriculture Organi-  
2 zation;

3 (iv) National Veterinary Services Lab-  
4 oratories of the Department of Agriculture;

5 (v) the Agricultural Research Service;  
6 or

7 (vi) other relevant specialized labora-  
8 tories; and

9 (C) report the findings back to the eligible  
10 organization and Wildlife GAINS partners.

11 (d) NETWORK.—

12 (1) PARTNERS.—Federal Wildlife GAINS part-  
13 ners shall, and non-Federal Wildlife GAINS part-  
14 ners are encouraged to, transmit information related  
15 to global distribution and characteristics of signifi-  
16 cant pathogens to the Administrator acting through  
17 the eligible organization.

18 (2) ADMINISTRATION.—The Administrator, act-  
19 ing through the eligible organization, shall—

20 (A) use surveillance reports and other for-  
21 mal and informal sources of information to  
22 identify and investigate local disease outbreaks  
23 of avian influenza and other infectious diseases  
24 involving wildlife, in coordination with Wildlife  
25 GAINS partners;

1 (B) develop a long-term baseline of re-  
2 gional data related to HPAI and pathogens in  
3 migratory birds and other wildlife for analysis  
4 between and across sites to create a system to  
5 identify when and where outbreaks might occur  
6 and paths of dispersal;

7 (C) provide technical assistance for disease  
8 prevention and control programs based on sci-  
9 entific understanding of the relationships be-  
10 tween wildlife health, domestic animal health,  
11 and human health;

12 (D) provide analytical disease findings reg-  
13 ularly to the United States Agency for Inter-  
14 national Development and other Federal Wild-  
15 life GAINS partners to prevent or combat  
16 human and animal diseases;

17 (E) conduct other activities as are nec-  
18 essary to support the Wildlife GAINS network  
19 and Wildlife GAINS partners; and

20 (F) coordinate Wildlife GAINS surveillance  
21 results at the headquarters of the eligible orga-  
22 nization.

23 (e) DATABASE.—

24 (1) IN GENERAL.—The Administrator, acting  
25 through the eligible organization, shall manage,



1 map, and make available on a database on the Inter-  
2 net all results and information gathered under this  
3 Act.

4 (2) REQUIREMENTS.—The database shall—

5 (A) provide geographic data on wildlife  
6 populations and the movements of the popu-  
7 lations and laboratory test results; and

8 (B) be available for viewing by any Federal  
9 agency, foreign country, multilateral institution,  
10 organization, or individual.

11 (f) TRAINING.—The Administrator shall request ac-  
12 credited colleges of veterinary medicine and medicine and  
13 other Wildlife GAINS partners to train members of the  
14 Wildlife GAINS network to—

15 (1) monitor important wildlife areas around the  
16 world; and

17 (2) test for the presence or arrival of avian in-  
18 fluenza and other significant pathogens of zoonotic  
19 concern or of concern to domestic or wild animals.

20 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

21 There is authorized to be appropriated to carry out  
22 this Act \$10,000,000 for each of fiscal years 2008 through  
23 2012.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1405  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Wildlife Global Animal  
3 Information Network for Surveillance Act” or “Wildlife  
4 GAINS Act”.

**5 SEC. 2. FINDINGS.**

6       Congress finds that—

7           (1) the ongoing panzootic of highly pathogenic  
8 avian influenza (HPAI) strain H5N1 in Asia and  
9 Eurasia is a threat to global human health and the  
10 global poultry industry;

11          (2) the HPAI virus is capable of causing mas-  
12 sive avian die-offs, and response can easily involve  
13 the culling of tens of millions of domestic poultry or  
14 domestic waterfowl, resulting in significant economic  
15 losses;

16          (3) the fatality rate due to infection in humans  
17 may be 30 to 50 percent or more;

1           (4) it has long been known that wild birds are  
2       a reservoir host for avian influenza viruses world-  
3       wide;

4           (5) the 1918 pandemic, the most lethal of the  
5       three pandemics that killed over 40,000,000 people  
6       worldwide, was caused by an influenza virus that ini-  
7       tially jumped directly from birds to humans and sub-  
8       sequently evolved an ability to transmit from  
9       human-to-human;

10          (6) this precedent for an avian influenza virus  
11       to transmit directly from birds to humans, then  
12       spread among humans, significantly raises the con-  
13       cern about the current H5N1 influenza strain;

14          (7) increased surveillance, including on migra-  
15       tory birds, is critical to controlling avian influenza  
16       and preparing for other potential emerging infec-  
17       tious diseases;

18          (8) the capacity to proactively detect the  
19       threats could result in significantly improved disease  
20       prediction and prevention capabilities;

21          (9) international wildlife health surveillance  
22       does not clearly fall under the jurisdiction of any  
23       Federal or international agency;

1           (10) there is a continued inability to share real-  
2       time data across the human, agricultural, wildlife,  
3       and veterinary agencies on zoonotic threats;

4           (11) while surveillance at domestic poultry and  
5       domestic waterfowl production facilities and farms is  
6       an immediate and on-going monitoring need and is  
7       being supported through relevant agencies, surveil-  
8       lance in wild bird populations that may have been  
9       exposed to the virus is a critical component to deter-  
10      mine the spread of the virus, implement control  
11      measures, and protect human, livestock, and wildlife  
12      health;

13          (12) monitoring and surveillance of wild migra-  
14      tory and resident water birds are critically important  
15      to identifying all strains of influenza viruses in wild  
16      birds as a library of possible genotypes, determining  
17      their role in the spread of the virus, and anticipating  
18      where outbreaks may occur to enhance preparedness;

19          (13) improving surveillance of wildlife health  
20      around the world would close significant jurisdic-  
21      tional and scientific gaps in current emerging infec-  
22      tious disease preparedness;

23          (14) other emerging diseases beyond bird flu  
24      merit similar attention, in terms of the potential

1 threats to global public health as well as  
2 agribiosecurity and biodiversity;

3 (15) the majority of emerging infectious dis-  
4 eases identified in the past several decades have  
5 moved from wildlife to humans, largely due to  
6 human incursions into or alterations of wildlife habi-  
7 tats and hunting, consumption, and trade of wildlife  
8 species;

9 (16) the human immunodeficiency virus (HIV)  
10 virus moved from chimpanzees to humans via these  
11 mechanisms;

12 (17) many factors contribute to disease emer-  
13 gence and spread from wildlife to domestic animals  
14 and humans, including environmental degradation  
15 and the handling, consumption, and trade of wildlife  
16 and wildlife-derived products;

17 (18) from avian influenza to the severe acute  
18 respiratory syndrome (SARS), from bovine tuber-  
19 culosis to the Ebola virus, and from HIV/AIDS to  
20 monkey pox, a long list of zoonotic diseases nega-  
21 tively impacts people's lives and livelihoods and costs  
22 the global economy billions of dollars; and

23 (19) the Government of the United States lacks  
24 a comprehensive program to monitor wildlife health  
25 around the world, a program that could proactively

1 inform preparedness not just in the case of a poten-  
2 tial H5N1 influenza strain pandemic, but also for a  
3 broader array of emerging infectious disease threats  
4 that often arise at the interface between wildlife, hu-  
5 mans, and their domestic animals.

6 **SEC. 3. PURPOSE.**

7 The purpose of this Act is to establish and maintain  
8 a Wildlife Global Animal Information Network for  
9 Surveillance—

10 (1) to more rapidly and efficiently detect,  
11 verify, and report on the presence of infectious dis-  
12 eases, such as highly pathogenic avian influenza, in  
13 birds and other wildlife around the world;

14 (2) to use information on pathogens found dur-  
15 ing surveillance of wildlife to better delineate poten-  
16 tial threats to domestic animals, humans, as well as  
17 wildlife itself;

18 (3) to use information on when and where  
19 HPAI and other pathogens of concern are identified  
20 in wildlife—

21 (A) to better guide preparedness in the  
22 United States and around the world; and

23 (B) to carry out a strategic wildlife health  
24 surveillance initiative that will provide regions,  
25 countries, and specific locations with early

1 warning information that will help target re-  
2 sources toward enhancement of agribiosecurity,  
3 surveillance, public health vigilance, and related  
4 areas;

5 (4) to create an open access database within  
6 which information on HPAI and other pathogens of  
7 interest identified in wild birds and other wildlife  
8 can be shared as close to real time as possible;

9 (5) to protect the health and safety of United  
10 States citizens and officials traveling or living  
11 abroad; and

12 (6) to protect the economic interests of the  
13 United States and its partners from threats to  
14 health, agriculture, and natural resources, including  
15 wildlife itself.

16 **SEC. 4. DEFINITIONS.**

17 In this Act:

18 (1) ADMINISTRATOR.—The term “Adminis-  
19 trator” means the Administrator of the United  
20 States Agency for International Development, acting  
21 through one or more eligible organizations.

22 (2) ELIGIBLE ORGANIZATION.—The term “eligi-  
23 ble organization” means an organization chartered  
24 in the United States with—

1 (A) extensive global wildlife health experi-  
2 ence in tracking disease in wild birds and other  
3 wildlife, including free-ranging, captive, and  
4 wild bird species;

5 (B) proven ability in identifying avian in-  
6 fluenza, Ebola virus, and other pathogens in  
7 wild birds or other wildlife;

8 (C) experience managing and implementing  
9 similar wildlife surveillance activities; and

10 (D) accredited zoological facilities in the  
11 United States.

12 (3) HPAI.—The term “HPAI” means highly  
13 pathogenic avian influenza.

14 (4) WILDLIFE GAINS.—The term “Wildlife  
15 GAINS” means the Wildlife Global Animal Informa-  
16 tion Network for Surveillance established under sec-  
17 tion 5(a).

18 (5) WILDLIFE GAINS PARTNERS.—The term  
19 “Wildlife GAINS partners” means the partners of  
20 the Wildlife GAINS described in section 5(b).

21 **SEC. 5. WILDLIFE GLOBAL ANIMAL INFORMATION NET-**  
22 **WORK FOR SURVEILLANCE.**

23 (a) AUTHORIZATION OF ASSISTANCE.—The Adminis-  
24 trator, acting through one or more eligible organizations,  
25 is authorized to establish and maintain a program to im-



1 plement a Wildlife Global Animal Information Network for  
2 Surveillance.

3 (b) PARTNERS.—In administering the Wildlife  
4 GAINS, the Administrator shall collaborate with  
5 appropriate—

6 (1) Federal and State agency partners,  
7 including—

8 (A) the Department of Agriculture, acting  
9 through—

10 (i) the Agricultural Research Service;

11 and

12 (ii) the Animal and Plant Health In-  
13 spection Service;

14 (B) the Department of Health and Human  
15 Services, acting through the Centers for Dis-  
16 ease Control and Prevention;

17 (C) the Department of Homeland Security;

18 (D) the Department of Defense;

19 (E) the Department of the Interior, acting  
20 through—

21 (i) the United States Geological Sur-  
22 vey; and

23 (ii) the United States Fish and Wild-  
24 life Service; and

1 (F) various State wildlife agencies in the  
2 United States;

3 (2) multilateral agency partners, including—

4 (A) the Food and Agriculture Organiza-  
5 tion;

6 (B) the World Health Organization;

7 (C) the Office International des Epizooties,  
8 the world animal health organization; and

9 (D) the World Conservation Union;

10 (3) conservation organizations with expertise in  
11 international and domestic wildlife monitoring and  
12 surveillance;

13 (4) accredited colleges of veterinary medicine  
14 and medicine; and

15 (5) other national and international partners,  
16 as necessary.

17 (c) INTERNATIONAL SURVEILLANCE.—The Adminis-  
18 trator shall manage an international surveillance program  
19 under which Federal Wildlife GAINS partners shall, and  
20 non-Federal Wildlife GAINS partners are encouraged  
21 to—

22 (1) monitor and test for the presence or arrival  
23 of avian influenza and other significant avian patho-  
24 gens at important bird areas around the world and  
25 in marketplaces with intense trade in wild birds;

- 1 (2) monitor and test for the presence or arrival
- 2 of other significant pathogens in free-ranging wild-
- 3 life and in places with intense trade in wild animals;
- 4 (3) use trained professionals to collect samples
- 5 and other data and send samples to appropriate di-
- 6 agnostic centers;
- 7 (4) use the Wildlife GAINS, in partnership with
- 8 relevant agencies and organizations, for
- 9 conducting—
- 10 (A) disease surveillance activities on migra-
- 11 tory birds and other wildlife worldwide;
- 12 (B) domestic and international field inves-
- 13 tigations on migratory birds and other wildlife;
- 14 (C) training and capacity-building activi-
- 15 ties related to the relationships between human
- 16 health, domestic animal health, and wildlife
- 17 health; and
- 18 (D) research on methods and approaches
- 19 for detection and enhanced surveillance of
- 20 HPAI and other pathogens in migratory birds
- 21 and other wildlife; and
- 22 (5) send samples for pathogen identification
- 23 and testing to certified laboratories that—
- 24 (A) meet internationally established meth-
- 25 ods standards;

## 11

- 1 (B) are located at—
- 2 (i) the Centers for Disease Control
- 3 and Prevention;
- 4 (ii) the Office International des
- 5 Epizooties, the world animal health organi-
- 6 zation;
- 7 (iii) the Food and Agriculture Organi-
- 8 zation;
- 9 (iv) National Veterinary Services Lab-
- 10 oratories of the Department of Agriculture;
- 11 (v) the Agricultural Research Service;
- 12 or
- 13 (vi) other relevant specialized labora-
- 14 tories; and
- 15 (C) report the findings back to the Admin-
- 16 istrator and Wildlife GAINS partners.
- 17 (d) NETWORK.—
- 18 (1) PARTNERS.—The Administrator shall re-
- 19 quire Federal Wildlife GAINS partners, and encour-
- 20 age non-Federal Wildlife GAINS partners, to trans-
- 21 mit to the Administrator information related to glob-
- 22 al distribution and characteristics of significant
- 23 pathogens.
- 24 (2) ADMINISTRATION.—The Administrator
- 25 shall—

## 12

1 (A) use surveillance reports and other for-  
2 mal and informal sources of information to  
3 identify and investigate local disease outbreaks  
4 of avian influenza and other infectious diseases  
5 involving wildlife, in coordination with Wildlife  
6 GAINS partners;

7 (B) develop a long-term baseline of re-  
8 gional data related to HPAI and pathogens in  
9 migratory birds and other wildlife for analysis  
10 between and across sites to create a system to  
11 identify when and where outbreaks might occur  
12 and paths of dispersal;

13 (C) provide technical assistance for disease  
14 prevention and control programs based on sci-  
15 entific understanding of the relationships be-  
16 tween wildlife health, domestic animal health,  
17 and human health;

18 (D) provide analytical disease findings reg-  
19 ularly to the United States Agency for Inter-  
20 national Development and other Federal Wild-  
21 life GAINS partners to prevent or combat  
22 human and animal diseases;

23 (E) conduct other activities as are nec-  
24 essary to support the Wildlife GAINS network  
25 and Wildlife GAINS partners; and

1 (F) coordinate Wildlife GAINS surveillance  
2 results at the headquarters of the eligible orga-  
3 nization.

4 (e) DATABASE.—

5 (1) IN GENERAL.—The Administrator shall  
6 manage, map, and make available on a database on  
7 the Internet all results and information gathered  
8 under this Act.

9 (2) REQUIREMENTS.—The database shall—

10 (A) provide geographic data on wildlife  
11 populations and the movements of the popu-  
12 lations and laboratory test results; and

13 (B) be available for viewing by any Federal  
14 agency, foreign country, multilateral institution,  
15 organization, or individual.

16 (f) TRAINING.—The Administrator shall request ac-  
17 credited colleges of veterinary medicine and medicine and  
18 other Wildlife GAINS partners to train members of the  
19 Wildlife GAINS network to—

20 (1) monitor important wildlife areas around the  
21 world; and

22 (2) test for the presence or arrival of avian in-  
23 fluenza and other significant pathogens of zoonotic  
24 concern or of concern to domestic or wild animals.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated to carry out  
3 this Act \$10,000,000 for each of fiscal years 2008 through  
4 2012.

Amend the title so as to read: “A bill to establish and maintain a wildlife global animal information network for surveillance internationally to combat the growing threat of emerging diseases that involve wild animals, such as bird flu, and for other purposes.”.



Chairman LANTOS. I believe we are fully aware of the risks that new and emerging diseases pose to the United States. The scourge of avian flu has known no boundaries, and the deadly risk of a more virulent strain of this virus is well documented. The world's preeminent medical specialists and public health professionals have indicated the potentially enormous consequences to the world's population if we fail to detect and to contain any potential pandemic.

H.R. 1405, the "Wildlife Global Animal Information Network for Surveillance Act," or "Wildlife GAINS Act," authorizes the U.S. Agency for International Development to work with other U.S. Governmental agencies, conservation experts, multinational organizations, and veterinary experts to implement a network for surveillance, detection, and identification of wildlife animals infected with deadly diseases such as the highly pathogenic avian flu.

In addition, the bill, as amended by my substitute, provides \$10 million a year for 4 years to implement this surveillance work. The amendment before the committee makes a number of minor changes to the underlying bill. I urge all members to support this legislation.

Are there any amendments?

Mr. BURTON. Mr. Chairman?

Chairman LANTOS. Mr. Burton of Indiana.

Mr. BURTON. Thank you, Mr. Chairman. I just have a question. Ten million dollars seems like a very small amount of money for a surveillance program of this size. I mean, you are talking about animals all over the world. I was the senior Republican for Africa for 10 years, and, my lord, how many animals there are over there, just in Africa alone.

So I am curious how \$10 million is going to be an adequate sum, if you are really going to have a surveillance program of this type.

Chairman LANTOS. My friend from Indiana raises a very valid point. The current amount spent on this is about \$5 million per annum. This legislation doubles that. I have no particular brief for the amount. If my friend would like to raise it, I will not object.

Mr. BURTON. No. Pardon my English, but there ain't no way you are going to be able to monitor this with \$10 million. There are just too many animals in the world, and they have too many virulent diseases that may or may not be spread to humans.

Chairman LANTOS. I agree with the very wise comments of my friend. Let me only add, to allay his concern of the very parsimonious manner in which the Democratic chair of the committee is proceeding, that other countries also spend on this endeavor globally, so our \$10 million is only part of the global spending.

The question occurs on the amendment in the nature of a substitute. All in favor will say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed will say no.

[Pause.]

Chairman LANTOS. The ayes have it, and the amendment is agreed to.

A question occurs on the motion to report the bill favorably, as amended. All in favor, say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed, say no.

[Pause.]

Chairman LANTOS. The ayes have it, and the motion to report favorably is hereby adopted. Without objection, the bill will be reported a single amendment in the nature of a substitute incorporating the amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

Well, my colleagues, we have a series of noncontroversial bills on the agenda. It is the intention of the Chair to consider these measures en bloc and, by unanimous consent, authorize the Chair to report certain measures to the Whole House and seek consideration of the remaining bills under suspension of the rules.

All members are given leave to insert remarks on the measures into the record, should they choose to do so. Before making the request, do any members wish to be heard on these measures? Ms. Giffords.

Ms. GIFFORDS. Thank you, Mr. Chairman. I would like to speak briefly to the H.R. 1441 bill. First of all, I just want to thank you for convening this markup and for bringing H.R. 1441 before this committee. I would also like to thank Congressman Steve Pearce, with whom I traveled to Israel and Iraq and Kuwait recently. Usually, this is a bipartisan piece of legislation.

It became very apparent, being in Iraq and Israel, that we have to be working as closely as we possibly can with our allies to prevent the country of Iran from future strengthening their military force, and that is what this piece of legislation would do. It would ban the sale of F-14 parts, not just to Iran, but it would be a ban for all international F-14 parts.

The United States sold the F-14 to Iran during the 1970s, when we were allies with Iran, but since that time, Iran has now become one of the greatest threats that we have to international peace and stability, as they work to pursue nuclear weapons and actively support terrorism. There are approximately 12,000 unique parts to the F-14, and if we can prevent even one of those parts getting into the hands of the Iranians, this piece of legislation will have done its job.

So I thank you, Mr. Chairman, for bringing this bill before the committee, and I respectfully ask for support.

Chairman LANTOS. Well, I want to thank my friend, and may I commend her for bringing before this body a singularly important piece of legislation? Ms. Watson.

Ms. WATSON. I want to thank Representative Giffords and the cosponsors for this piece of legislation. I am just wondering. There is a prohibition against the sale. Does your bill refer to what should be done with these weapons afterwards? Would they be remelted and so on? I just wondered if there is a provision that deals with what happens to them.

Ms. GIFFORDS. Thank you, Mr. Chairman, and thank you, Ambassador Watson. What this bill would do would obviously prevent the sale of the F-14 parts but also only direct the F-14's to go into specific areas, particularly in my district, which is Davis-Moffet Air Force Base.

There is a strict ban and a strict prohibition. In terms of penalties, that is not clearly laid out in the bill, but I think that the

biggest problem we have right now is that F-14 parts are inadvertently getting into the hands, and we need to physically lay down the law and say we cannot allow this to happen.

Ms. WATSON. So the parts then would go back for use in other authorized vehicles.

Ms. GIFFORDS. Ambassador Watson, actually, it would prevent any sale of the F-14 parts because the parts are so unique just to the F-14—

Chairman LANTOS. They would remain in our inventory, Ms. Watson.

Ms. WATSON. Okay. That is what I needed to know. I did not know whether they were going to be destroyed or used—

Chairman LANTOS. No. They will remain in inventory.

Ms. WATSON. All right. Thank you.

Ms. GIFFORDS. Thank you.

Ms. WATSON. That answers my question.

Chairman LANTOS. Any other issue?

Mr. KLEIN. Mr. Chairman?

Chairman LANTOS. Yes. Mr. Klein?

Mr. KLEIN. Thank you, Mr. Chairman. I just wanted to briefly comment on House Resolution 267, the seized British soldiers resolution, if I could, Mr. Chairman.

Mr. Chairman, I want to thank you for swiftly bringing this resolution to markup. I admire your leadership on the issue of Iran, and the Iranian threat, of course, as we know, on many levels, is one of the most critical issues facing this committee and, indeed, facing the world today.

My colleagues in the Iran Working Group were appalled at Iran's actions last week, when they seized 15 British sailors and marines in the Persian Gulf. As we all remember, this is not the first time that this has happened, but I certainly hope that this is the last.

Iran has ignored the international community for too long, flouting international will when it comes to the Iranian nuclear program and holding soldiers hostage. I believe it is particularly notable that these soldiers and marines were captured on the same day that the U.N. debated additional sanctions for Iran's continued efforts to enrich Uranium. The U.N. unanimously approved these sanctions on Saturday, including a ban on arms sales from Iran, as well as the freezing of assets of 28 people and organizations involved with its nuclear program.

I hope that these sanctions, coupled with this resolution, which expresses the will of Congress, calling for Iran to free these sailors, will send the strongest message to Iran. Given the severity of this international crisis, it is critical that the United States Congress send a clear condemnation of Iran's unacceptable conditions, and I appreciate your time and yield back.

Chairman LANTOS. I want to assure my colleagues that we are moving these items as expeditiously as possible. I ask all of you to stay here for a few more minutes because we need a reporting quorum.

Without objection, the following bills are ordered favorably reported to the House: H.R. 1441, to prohibit the sale by the Department of Defense of parts for F-14 fighter aircraft; H.R. 1678, the Torture Victims Relief Act.

In addition and without objection, the chairman is authorized to seek consideration of the following bills under suspension of the rules and the amendments to those measures, which the members have before them, shall be deemed adopted: H. Con. Res. 100, condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society; H. Res. 100, expressing the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encouraging the Government of Guatemala to bring an end to these horrendous crimes; H. Res. 125, expressing deep concern over the use of civilians as “human shields,” in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah’s tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel; H. Res. 158, observing the 200th anniversary of the abolition of the British slave trade and encouraging the people of the United States, particularly the youth of the United States, to remember the life and legacy of William Wilberforce; H. Res. 196, supporting the goals and ideals of World Water Day; H. Res. 240, urging all member countries of the International Commission of the International Tracing Service who have yet to ratify the May 2006 Amendments to the 1955 Bonn Accords Treaty, to expedite the ratification process to allow the open access to the Holocaust archives located at Bad Arolsen in Germany; and, finally, H. Res. 267, calling for the immediate and unconditional release of British marines and sailors held captive by Iran, and for other purposes.

[The information referred to follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 1441

To prohibit the sale by the Department of Defense of parts for F-14 fighter aircraft.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2007

Ms. GIFFORDS (for herself and Mr. PEARCE) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To prohibit the sale by the Department of Defense of parts for F-14 fighter aircraft.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Arming Iran  
5 Act”.

1 **SEC. 2. PROHIBITION ON SALE BY DEPARTMENT OF DE-**  
2 **FENSE OF PARTS FOR F-14 FIGHTER AIR-**  
3 **CRAFT.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) The Department of Defense is responsible  
7 for demilitarizing and auctioning off sensitive sur-  
8 plus United States military equipment.

9 (2) F-14 “Tomcat” fighter aircraft have re-  
10 cently been retired, and their parts are being made  
11 available by auction in large quantities.

12 (3) Iran is the only country, besides the United  
13 States, flying F-14 fighter aircraft and is pur-  
14 chasing surplus parts for such aircraft from brokers.

15 (4) The Government Accountability Office has,  
16 as a result of undercover investigative work, declared  
17 the acquisition of the surplus United States military  
18 equipment, including parts for F-14 fighter aircraft,  
19 to be disturbingly effortless.

20 (5) Upon the seizure of such sensitive surplus  
21 military equipment being sold to Iran, United States  
22 customs agents have discovered these same items,  
23 having been resold by the Department of Defense,  
24 being brokered illegally to Iran again.

1           (6) Iran is pursuing a nuclear weapons capa-  
2       bility, and the Department of State has identified  
3       Iran as the most active state sponsor of terrorism.

4           (7) Iran continues to provide funding, safe  
5       haven, training, and weapons to known terrorist  
6       groups, including Hizballah, HAMAS, the Palestine  
7       Islamic Jihad, and the Popular Front for the Lib-  
8       eration of Palestine.

9           (8) The sale of spare parts for F-14 fighter  
10      aircraft could make it more difficult to confront the  
11      nuclear weapons capability of Iran and would  
12      strengthen the ground war capability of Iran. To  
13      prevent these threats to regional and global security,  
14      the sale of spare parts for F-14 fighter aircraft  
15      should be prohibited.

16      (b) PROHIBITION ON SALE BY DEPARTMENT OF DE-  
17      FENSE.—

18           (1) IN GENERAL.—Notwithstanding any other  
19      provision of law and except as provided in paragraph  
20      (2), the Department of Defense may not sell (wheth-  
21      er directly or indirectly) any parts for F-14 fighter  
22      aircraft, whether through the Defense Reutilization  
23      and Marketing Service or through another agency or  
24      element of the Department.

1           (2) EXCEPTION.—Paragraph (1) shall not  
2       apply with respect to the sale of parts for F-14  
3       fighter aircraft to a museum or similar organization  
4       located in the United States that is involved in the  
5       preservation of F-14 fighter aircraft for historical  
6       purposes.

7       (c) PROHIBITION ON EXPORT LICENSE.—No license  
8       for the export of parts for F-14 fighter aircraft to a non-  
9       United States person or entity may be issued by the  
10      United States Government.

○



.....  
 (Original Signature of Member)

110TH CONGRESS  
 1ST SESSION

# H. R. 1678

To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Torture Victims Relief  
 5       Reauthorization Act of 2007”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR DOMES-**  
2 **TIC TREATMENT CENTERS FOR VICTIMS OF**  
3 **TORTURE.**

4 Section 5(b)(1) of the Torture Victims Relief Act of  
5 1998 (22 U.S.C. 2152 note) is amended to read as follows:

6 “(1) AUTHORIZATION OF APPROPRIATIONS.—Of  
7 the amounts authorized to be appropriated for the  
8 Department of Health and Human Services for fis-  
9 cal years 2008 and 2009, there are authorized to be  
10 appropriated to carry out subsection (a)  
11 \$25,000,000 for each of the fiscal years 2008 and  
12 2009.”.

13 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR FOR-**  
14 **EIGN TREATMENT CENTERS FOR VICTIMS OF**  
15 **TORTURE.**

16 Section 4(b)(1) of the Torture Victims Relief Act of  
17 1998 (22 U.S.C. 2152 note) is amended to read as follows:

18 “(1) AUTHORIZATION OF APPROPRIATIONS.—Of  
19 the amounts authorized to be appropriated for fiscal  
20 years 2008 and 2009 pursuant to chapter 1 of part  
21 I of the Foreign Assistance Act of 1961, there are  
22 authorized to be appropriated to the President to  
23 carry out section 130 of such Act \$12,000,000 for  
24 each of the fiscal years 2008 and 2009.”.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
2 **UNITED STATES CONTRIBUTION TO THE**  
3 **UNITED NATIONS VOLUNTARY FUND FOR**  
4 **VICTIMS OF TORTURE.**

5       Of the amounts authorized to be appropriated for fis-  
6 cal years 2008 and 2009 pursuant to chapter 3 of part  
7 I of the Foreign Assistance Act of 1961, there are author-  
8 ized to be appropriated to the President for a voluntary  
9 contribution to the United Nations Voluntary Fund for  
10 Victims of Torture \$12,000,000 for each of the fiscal  
11 years 2008 and 2009.

(Original Signature of Member)

110TH CONGRESS  
1ST SESSION

# H. CON. RES. 100

Condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society.

## IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS submitted the following concurrent resolution; which was referred to the Committee on \_\_\_\_\_

## CONCURRENT RESOLUTION

Condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society.

Whereas in 2005 the Government of Zimbabwe launched Operation Murambatsvina ("Operation Throw Out the Trash") against citizens in major cities and suburbs throughout Zimbabwe, driving 2,400,000 people or nearly one-fifth of the population from their homes, businesses, and livelihoods;

Whereas on March 11, 2007, opposition party activists and members of civil society attempted to hold a peaceful prayer meeting to protest the economic and political crisis engulfing Zimbabwe in which inflation is running over

1,700 percent and unemployment stands at 80 percent and in response to President Robert Mugabe's announcement that he intends to seek reelection in 2008 if nominated;

Whereas opposition activist Gift Tandare died on March 11, 2007, as a result of being shot by police while attempting to attend the prayer meeting and Itai Manyeruke died on March 12, 2007, as a result of police beatings and was found in a morgue by his family on March 20, 2007;

Whereas under the direction of President Robert Mugabe and the ZANU-PF government, police officers, security forces, and youth militia brutally assaulted the peaceful demonstrators and arrested opposition leaders and hundreds of civilians;

Whereas Movement for Democratic Change (MDC) leader Morgan Tsvangarai was brutally assaulted and suffered a fractured skull, lacerations, and major bruising; MDC member Sekai Holland, a 64-year old grandmother, suffered ruthless attacks at Highfield Police Station, which resulted in the breaking of her leg, knee, arm, and three ribs; fellow activist Grace Kwinjeh, age 33, also was brutally beaten, while part of one ear was ripped off; and Nelson Chamisa was badly injured by suspected state agents at Harare airport on March 18, 2007, when trying to board a plane for a meeting of European Union and ACP lawmakers in Brussels, Belgium;

Whereas Zimbabwe's foreign minister warned Western diplomats that the Government of Zimbabwe would expel them if they gave support to the opposition, and said Western diplomats had gone too far by offering food and water to jailed opposition activists;

Whereas victims of physical assault by the Government of Zimbabwe have been denied emergency medical transfer to hospitals in neighboring South Africa at which their wounds can be properly treated;

Whereas those incarcerated by the Government of Zimbabwe were denied access to legal representatives and lawyers appearing at the jails to meet with detained clients were themselves threatened and intimidated;

Whereas at the time of Zimbabwe's independence, President Robert Mugabe was hailed as a liberator and Zimbabwe showed bright prospects for democracy, economic development, domestic reconciliation, and prosperity;

Whereas President Robert Mugabe and his ZANU–PF government continue to turn away from the promises of liberation and use state power to deny the people of Zimbabwe the freedom and prosperity they fought for and deserve;

Whereas the staggering suffering brought about by the misrule of Zimbabwe has created a large-scale humanitarian crisis in which 3,500 people die each week from a combination of disease, hunger, neglect, and despair;

Whereas the Chairman of the African Union, President Alpha Oumar Konare, expressed “great concern” about Zimbabwe's crisis and called for the need for the scrupulous respect for human rights and democratic principles in Zimbabwe;

Whereas the Southern African Development Community (SADC) Council of Non-governmental Organizations stated that “We believe that the crisis has reached a point where Zimbabweans need to be strongly persuaded and

directly assisted to find an urgent solution to the crisis that affects the entire region.”;

Whereas Zambian President, Levy Mwanawasa, has urged southern Africa to take a new approach to Zimbabwe instead of the failed “quiet diplomacy”, which he likened to a “sinking Titanic,” and stated that “quiet diplomacy has failed to help solve the political chaos and economic meltdown in Zimbabwe”;

Whereas European Union and African, Caribbean, and Pacific lawmakers strongly condemned the latest attack on an opposition official in Zimbabwe and urged the government in Harare to cooperate with the political opposition to restore the rule of law; and

Whereas United States Ambassador to Zimbabwe, Christopher Dell, warned that opposition to President Robert Mugabe had reached a tipping point because the people no longer feared the regime and believed they had nothing left to lose: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring), That—*

3           (1) it is the sense of Congress that—

4                   (A) the state-sponsored violence taking  
5 place in Zimbabwe represents a serious viola-  
6 tion of fundamental human rights and the rule  
7 of law and should be condemned by all respon-  
8 sible governments, civic organizations, religious  
9 leaders, and international bodies; and

10                   (B) the Government of Zimbabwe has not  
11 lived up to its commitments as a signatory to

1 the Constitutive Act of the African Union and  
2 African Charter of Human and Peoples Rights  
3 which enshrine commitment to human rights  
4 and good governance as foundational principles  
5 of African states; and

6 (2) Congress—

7 (A) condemns the Government of  
8 Zimbabwe's violent suppression of political and  
9 human rights through its police force, security  
10 forces, and youth militia that deliberately inflict  
11 gross physical harm, intimidation, and abuse on  
12 those legitimately protesting the failing policies  
13 of the government;

14 (B) holds those individual police, security  
15 force members, and militia involved in abuse  
16 and torture responsible for the acts that they  
17 have committed;

18 (C) condemns the harassment and intimi-  
19 dation of lawyers attempting to carry out their  
20 professional obligations to their clients and re-  
21 peated failure by police to comply promptly with  
22 court decisions;

23 (D) condemns the harassment of foreign  
24 officials, journalists, human rights workers, and  
25 others, including threatening their expulsion



1 from the country if they continue to provide  
2 food and water to victims detained in prison  
3 and in police custody while in the hospital;

4 (E) commends United States Ambassador  
5 Christopher Dell and other United States Gov-  
6 ernment officials and foreign officials for their  
7 support to political detainees and victims of tor-  
8 ture and abuse while in police custody or in  
9 medical care centers and encourages them to  
10 continue providing such support;

11 (F) calls on the Government of Zimbabwe  
12 to cease immediately its violent campaign  
13 against fundamental human rights, to respect  
14 the courts and members of the legal profession,  
15 and to restore the rule of law while adhering to  
16 the principles embodied in an accountable de-  
17 mocracy, including freedom of association and  
18 freedom of expression;

19 (G) calls on the Government of Zimbabwe  
20 to cease illegitimate interference in travel  
21 abroad by its citizens, especially for humani-  
22 tarian purposes; and

23 (H) calls on the leaders of the Southern  
24 Africa Development Community (SADC) and  
25 the African Union to consult urgently with all

1 Zimbabwe stakeholders to intervene with the  
2 Government of Zimbabwe while applying appro-  
3 priate pressures to resolve the economic and po-  
4 litical crisis.

110TH CONGRESS  
1ST SESSION

## H. RES. 100

Expressing the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encouraging the Government of Guatemala to bring an end to these crimes.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2007

Ms. SOLIS (for herself, Mr. BURTON of Indiana, Ms. LEE, Mr. LANTOS, and Mr. ENGEL) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing the sympathy of the House of Representatives to the families of women and girls murdered in Guatemala and encouraging the Government of Guatemala to bring an end to these crimes.

Whereas Guatemalan women were among the victims during the 36-year Guatemalan internal armed conflict which ended with the signing of the 1996 Peace Accords and ushered in the process of reconciliation;

Whereas since 2001, more than 2,000 women and girls have been murdered in Guatemala often preceded by abduction, sexual assault, or brutal mutilation;

Whereas from 2001 to 2006, the rate at which women and girls have been murdered in Guatemala has increased

sharply, at a higher rate than the murder rate of men in Guatemala during the same period;

Whereas the number of murders of Guatemalan women and girls has increased significantly from 303 in 2001 to more than 500 in 2006;

Whereas, according to reports from Guatemalan officials, most of the victims are women ranging in age from 18 to 30 and many were abducted in broad daylight in well-populated areas;

Whereas the manner and rate of murders of Guatemalan women and girls suggests an increase in gender based killings, an extreme form of violence against women that can include torture, mutilation, and sexual violence;

Whereas, according to data from Guatemala's Public Prosecutors Office, few arrests and fewer convictions have taken place, leading to accusations that police, prosecutors, forensics experts, and other state justice officials have not brought the perpetrators to justice;

Whereas inadequate financial, human, and technical resources, as well as a lack of forensic and technical expertise, has complicated the arrest and prosecution of suspects;

Whereas the Guatemalan Human Rights Ombudsman reports that on ten separate occasions police officers have been implicated in the murder of Guatemalan women and girls and recommends that such officers and other officials be held accountable for their acts;

Whereas the Guatemalan Special Prosecutor for Crimes Against Women, in her statements regarding the Guatemalan murder cases, reported that her office has re-

viewed approximately 800 reports of domestic violence per month, with some of those cases ending in murder;

Whereas the Government of Guatemala has undertaken efforts to prevent violence against women, as evidenced by its ratification of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, the Convention of Belem do Para, and other international human rights treaties, and the enactment of laws and the creation of state institutions to promote and protect the rights of women;

Whereas, in June 2006, the Government of Guatemala successfully abolished the “Rape Law” which had absolved perpetrators of criminal responsibility for rape and certain other crimes of violence upon the perpetrator’s marriage with the victim;

Whereas the Government of Guatemala has created special police and prosecutorial units to address the brutal murders of Guatemalan women and girls;

Whereas Guatemalan legislators from various parties have joined lawmakers from Mexico and Spain to form the Interparliamentary Network against “Femicide”;

Whereas the Government of Guatemala and the United Nations recently signed an agreement to establish the International Commission Against Impunity in Guatemala (CICIG), which has a mandate to investigate and promote prosecution of illegal security groups and clandestine security organizations that function with impunity and are suspected of attacking human rights defenders,

and other crimes that have undermined overall security in Guatemala;

Whereas murders of Guatemalan women and girls have brought pain to the families and friends of the victims as they struggle to cope with the loss of their loved ones and the fact that the perpetrators of these heinous acts remain unknown to the proper authorities; and

Whereas continuing impunity for the crime of murder is a threat to the rule of law, democracy, and stability in Guatemala: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2           (1) expresses its sincerest condolences and  
3       deepest sympathy to the families of women and girls  
4       murdered in Guatemala;

5           (2) expresses the solidarity of the people of the  
6       United States with the people of Guatemala in the  
7       face of these tragic and senseless acts;

8           (3) condemns the ongoing abductions and mur-  
9       ders of women and girls in Guatemala which have  
10      been occurring with increasing brutality and fre-  
11      quency;

12          (4) recognizes the courageous struggle of the  
13      victims' families in seeking justice for the victims;

14          (5) urges the Government of Guatemala to rec-  
15      ognize domestic violence and sexual harassment as  
16      criminal acts;

1           (6) encourages the Government of Guatemala  
2     to act with due diligence in order to investigate  
3     promptly the killings of women and girls, prosecute  
4     those responsible, and eliminate the tolerance of vio-  
5     lence against women;

6           (7) supports efforts to identify perpetrators and  
7     unknown victims through forensic analysis, including  
8     DNA testing, such as the National Institute for Fo-  
9     rensic Science in Guatemala (INACIF) and encour-  
10    ages such efforts to be conducted by independent,  
11    impartial experts;

12          (8) urges the President and Secretary of State  
13    to continue to express support for the efforts of the  
14    victims' families and loved ones to seek justice for  
15    the victims, to express concern relating to the con-  
16    tinued harassment of these families and the human  
17    rights defenders with whom they work, and to ex-  
18    press concern with respect to impediments in the  
19    ability of the families to receive prompt and accurate  
20    information in their cases;

21          (9) encourages the Secretary of State to urge  
22    the Government of Guatemala to honor and dignify  
23    the victims of the brutal murders and to continue to  
24    include in the Department of State's annual Country  
25    Reports on Human Rights Practices all instances of

1 improper investigatory methods, threats against  
2 human rights activists, and the use of torture with  
3 respect to cases involving the murder and abduction  
4 of women and girls in Guatemala;

5 (10) encourages the Secretary of State to urge  
6 the Government of Guatemala to hold accountable  
7 those law enforcement and judicial officials whose  
8 failure to investigate and prosecute the murders ade-  
9 quately, whether through negligence, omission, or  
10 abuse, has led to impunity for these crimes;

11 (11) encourages the Secretary of State to sup-  
12 port and urge the Government of Guatemala to take  
13 measures to ensure that the special Guatemalan po-  
14 lice and prosecutorial units have an adequate num-  
15 ber of appropriately trained personnel with sufficient  
16 resources to conduct thorough and proper investiga-  
17 tions and prosecutions that reflect the gravity and  
18 magnitude of this national security crisis;

19 (12) recommends that the United States Am-  
20 bassador to Guatemala continue to meet with the  
21 families of the victims, women's rights organizations,  
22 and Guatemalan officials responsible for inves-  
23 tigating these crimes and preventing such future  
24 crimes; and



1           (13) recommends that the Secretary of State  
2       develop a comprehensive plan to address and combat  
3       the growing problem of violence against women in  
4       Latin America.

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110TH CONGRESS  
1ST SESSION

## H. RES. 125

Expressing deep concern over the use of civilians as “human shields” in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah’s tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2007

Ms. ROS-LEHTINEN (for herself, Mr. KLEIN of Florida, Mr. PENCE, Mr. BURTON of Indiana, Mr. MANZULLO, Mr. TANCREDI, Mr. CHABOT, Mr. SMITH of New Jersey, Mr. SHERMAN, and Mr. FORTUÑO) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing deep concern over the use of civilians as “human shields” in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah’s tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel.

Whereas the term “human shields” refers to the use of civilians, prisoners of war, or other noncombatants whose mere presence is designed to protect combatants and objects from attack;

Whereas the use of human shields violates international humanitarian law and the law of war;

Whereas throughout the summer of 2006 conflict with the State of Israel, Hezbollah forces utilized human shields to protect themselves from counterattacks by Israeli forces;

Whereas the majority of civilian casualties of that conflict might have been avoided and civilian lives saved had Hezbollah not employed this tactic;

Whereas the news media made constant mention of civilian casualties but rarely pointed to the culpability, under international law, of Hezbollah for their endangerment of such civilians;

Whereas United States and international leaders attempted to call the use of human shields to the world's attention;

Whereas on August 11, 2006, Secretary of State Condoleezza Rice stated, "Hezbollah and its sponsors have brought devastation upon the people of Lebanon, dragging them into a war that they did not choose, and exploiting them as human shields . . .";

Whereas on August 14, 2006, President George W. Bush stated, "Hezbollah terrorists targeted Israeli civilians with daily rocket attacks. Hezbollah terrorists used Lebanese civilians as human shields, sacrificing the innocent in an effort to protect themselves from Israeli response . . .";

Whereas Jan Egeland, United Nations Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, accused Hezbollah of "cowardly blending . . . among women and children";

Whereas Additional Protocol I, Article 50(1) to the Geneva Convention defines civilian as, “[a]ny person who does not belong to one of the categories of persons referred to in Article 4(A)(1), (2), (3), and (6) of the Third Convention and in Article 43 of this Protocol. In the case of doubt whether a person is a civilian, that person shall be considered a civilian.”;

Whereas Additional Protocol I, Article 51(7) to the Geneva Convention states, “[T]he presence or movement of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”; and

Whereas Convention IV, Article 28, Relative to the Protection of Civilian Persons in Time of War of the Geneva Convention states, “The presence of a protected person may not be used to render certain points or areas immune from military operations.”: Now, therefore, be it

- 1       *Resolved*, That the House of Representatives—
- 2           (1) strongly condemns the use of innocent civil-
- 3       ians as human shields, including Hezbollah’s use of
- 4       this brutal and illegal tactic during the summer of
- 5       2006 conflict with Israel;
- 6           (2) calls on the international community to rec-
- 7       ognize the grave breaches of international law
- 8       through the use of human shields; and

1           (3) calls on the community of United States  
2   and international jurisprudential scholars and prac-  
3   titioners and the leadership of the Armed Forces to  
4   review the current international legal regime and to  
5   make recommendations to prevent the future use of  
6   human shields during armed conflicts.

○

**AMENDMENT TO H. RES. 125**  
**OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

In the second clause of the preamble, strike “and the law of war” and insert “(also referred to as the Law of War or the Law of Armed Conflict)”.

In the tenth clause of the preamble, strike “Additional Protocol I, Article 50(1)” and insert “for states parties to Additional Protocol I, such as Lebanon, Article 50(1)”.

In the eleventh clause of the preamble, strike “Additional Protocol I, Article 51(7)” and insert “for states parties to Additional Protocol I, such as Lebanon, Article 51(7)”.

Strike paragraph (2) of the resolved text (page 3, strike lines 6 through 8) and insert the following:

- 1           (2) calls on responsible nations to condemn the
- 2       use of civilians as human shields as a violation of
- 3       international humanitarian law; and

Strike paragraph (3) of the resolved text (page 4, strike lines 1 through 6) and insert the following:

1           (3) calls on responsible nations and experts in  
2     the area of international humanitarian law to focus  
3     particular attention on the use of human shields in  
4     violation of international humanitarian law and  
5     make further recommendations on the prevention of  
6     such violation in the future.

Amend the title so as to read: “Resolution expressing deep concern over the use of civilians as ‘human shields’ in violation of international humanitarian law, including Hezbollah’s tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel.”.



110TH CONGRESS  
1ST SESSION

## H. RES. 158

Observing the 200th anniversary of the abolition of the British slave trade and encouraging the people of the United States, particularly the youth of the United States, to remember the life and legacy of William Wilberforce, a member of the British House of Commons who devoted his life to the suppression and abolition of the institution of slavery, and to work for the protection of human rights throughout the world.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2007

Mr. PITTS (for himself, Mr. PAYNE, Mr. MCINTYRE, Mr. SMITH of New Jersey, Mr. WOLF, Mr. BURTON of Indiana, Mr. FORTENBERRY, Mr. CLYBURN, Mr. FLAKE, Mr. POE, Mr. HASTINGS of Florida, Mr. GARY G. MILLER of California, Mr. BOOZMAN, Mrs. MUSGRAVE, Mr. LAMBORN, Mr. WILSON of South Carolina, Mr. PENCE, Mr. MANZULLO, Mr. FORBES, Mr. BARRETT of South Carolina, Mr. FRANKS of Arizona, Mr. WELDON of Florida, Mr. CANTOR, Mr. ROGERS of Michigan, and Mr. SESSIONS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Observing the 200th anniversary of the abolition of the British slave trade and encouraging the people of the United States, particularly the youth of the United States, to remember the life and legacy of William Wilberforce, a member of the British House of Commons who devoted his life to the suppression and abolition of the institution of slavery, and to work for the protection of human rights throughout the world.

Whereas in 1780, William Wilberforce was elected at the age of 21 years to the British House of Commons;

Whereas Mr. Wilberforce and his friends were active in at least 69 different projects focusing on issues such as prison reform, education, child labor conditions, animal cruelty, and the reformation of the culture;

Whereas Mr. Wilberforce was mentored and counseled by former slave trader and author of the hymn “Amazing Grace”, John Newton, on the horrors of the slave trade;

Whereas at the time, 11 million human beings had been captured and taken from Africa to the Western hemisphere and forced into slavery and bondage;

Whereas at the time, the British Empire controlled the largest portion of the slave trade;

Whereas Mr. Wilberforce devoted his life to the suppression and abolition of the institution of slavery;

Whereas a dedicated group of like-minded reformers, the Clapham group, assisted, supported, and encouraged Mr. Wilberforce in his fight against the slave trade;

Whereas Mr. Wilberforce fought for 20 years in the House of Commons to pass legislation banning the slave trade;

Whereas on February 23, 1807, Britain passed a bill banning the slave trade;

Whereas Mr. Wilberforce helped inspire and encourage those who fought against slavery in the United States, including political leaders like John Quincy Adams, spreading a message of hope and freedom throughout America and the promise of the future;

Whereas Mr. Wilberforce labored 46 years to abolish the institution of slavery in the British Empire, ceaselessly defending those without a voice within society;

Whereas in 1833, Mr. Wilberforce was informed on his death bed that the House of Commons had voted to abolish slavery;

Whereas in 2006, the United States Department of State estimated that between 600,000 and 800,000 men, women, and children were trafficked across international borders;

Whereas the International Labour Organization estimates that there are more than 12 million people in forced labor, bonded labor, forced child labor, and sexual servitude around the world; and

Whereas the people of the United States, particularly the youth of the United States, are called upon to form clubs and groups dedicated to working against the modern slave trade, human trafficking, and the degradation of human dignity: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) observes the 200th anniversary of the abolition of the British slave trade;

3               (2) commends to the people of the United States the example of William Wilberforce and his commitment to each and every person's human dignity, value, and freedom;

4               (3) encourages the people of the United States, particularly the youth of the United States, to—

1 (A) observe the anniversary of the abolition  
2 of the British slave trade;

3 (B) reflect on Mr. Wilberforce's selfless  
4 dedication to the fight against slavery and his  
5 commitment to the neediest in society;

6 (C) commit themselves to recognize the  
7 value of every person; and

8 (D) form high school clubs and groups  
9 working against modern day slavery and the  
10 trafficking of persons; and

11 (4) condemns to the highest degree all forms of  
12 human trafficking and slavery which are an assault  
13 on human dignity and of which Mr. Wilberforce  
14 would steadfastly resist.

○

**AMENDMENT TO H. RES. 158**  
**OFFERED BY MR. LANTOS OF CALIFORNIA**

Page 4, line 7, strike “; and” and insert “and to actively work against slavery in all its forms;”.

Page 4, after line 7, insert the following:

- 1                   (D) work to educate themselves and others
- 2                   to recognize that individuals who are subject to
- 3                   slavery and human trafficking are victims of
- 4                   those who traffick such individuals; and

Page 4, line 8, strike “(D)” and insert “(E)”.

110TH CONGRESS  
1ST SESSION

## H. RES. 196

Supporting the goals and ideals of World Water Day.

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### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2007

Mr. BLUMENAUER (for himself and Ms. EDDIE BERNICE JOHNSON of Texas)  
submitted the following resolution; which was referred to the Committee  
on Foreign Affairs

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## RESOLUTION

Supporting the goals and ideals of World Water Day.

Whereas the global celebration of World Water Day is an initiative that grew out of the 1992 United Nations Conference on Environment and Development in Rio de Janeiro;

Whereas the United Nations General Assembly, via resolution, designated March 22 of each year as World Water Day;

Whereas although water is the most widely occurring substance on earth, only 2.53 percent of all water is freshwater and the remainder is salt water;

Whereas freshwater resources are further impaired by various forms of industrial, chemical, human, and agricultural pollution;

Whereas climate change will increasingly pose a challenge for ensuring the availability of sufficient water supplies at the appropriate times;

Whereas approximately one in six people in the world lack access to safe drinking water and approximately two in every five people lack access to basic sanitation services;

Whereas water-related diseases are among the most common causes of illness and death, afflicting primarily the poor and very poor in developing countries;

Whereas up to five million people die each year from preventable water and sanitation related diseases, including one out of every five children in the poorest countries;

Whereas every \$1 invested in safe drinking water and sanitation yields an economic return of between \$3 and \$34, depending on the region;

Whereas increasing access to safe drinking water and sanitation advances efforts towards other United States development objectives including fighting poverty and hunger, promoting primary education and gender equality, reducing child mortality, promoting environmental stability, improving the lives of slum dwellers, and strengthening national security;

Whereas the participants in the 2002 World Summit on Sustainable Development in Johannesburg, including the United States, agreed to the Plan of Implementation which included an agreement to work to reduce by one-half from the baseline year 1990 “the proportion of people who are unable to reach or to afford safe drinking water,” and “the proportion of people without access to basic sanitation” by 2015; and

Whereas Congress passed and the President signed into law the “Senator Paul Simon Water for the Poor Act of 2005” (Public Law 109–121) which was intended to “elevate the role of water and sanitation policy in the development of U.S. foreign policy and improve the effectiveness of U.S. official programs”: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2           (1) supports the goals and ideals of World  
3       Water Day;

4           (2) recognizes the importance of increasing ac-  
5       cess to safe drinking water and sanitation, as well  
6       as the conservation and sustainable management of  
7       water resources, to human health and quality of life  
8       across the globe;

9           (3) urges an increased effort and the invest-  
10       ment of greater resources by the Department of  
11       State, the United States Agency for International  
12       Development, and all relevant Federal departments  
13       and agencies towards providing sustainable and eq-  
14       uitable access to safe drinking water and sanitation  
15       for the poor and very poor; and

16          (4) encourages the people of the United States  
17       to observe World Water Day with appropriate rec-  
18       ognition, ceremonies, activities, and programs to  
19       demonstrate the importance of water to humanity.

○



110TH CONGRESS  
1ST SESSION

## H. RES. 240

Urging all member countries of the International Commission of the International Tracing Service (ITS) who have yet to ratify the May 2006 Amendments to the 1955 Bonn Accords Treaty, to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2007

Mr. HASTINGS of Florida (for himself, Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. KIRK, Mr. BURTON of Indiana, Ms. BERKLEY, Mr. ROHRABACHER, Mr. LINDER, Mr. WEINER, Mr. CUMMINGS, Mr. CANTOR, Mr. McNULTY, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY of New York, Mr. MEEK of Florida, Mr. BERMAN, Mr. SHERMAN, Mr. ISRAEL, Ms. LORETTA SANCHEZ of California, Ms. CORRINE BROWN of Florida, Mr. ROTHMAN, Mrs. MCCARTHY of New York, Mr. DOYLE, Mr. FOSSELLA, Mr. ACKERMAN, Mr. ENGEL, Mr. NADLER, Mr. MORAN of Virginia, Mr. HONDA, Mr. LANTOS, Mr. CROWLEY, Mr. DAVIS of Alabama, Mr. SHIMKUS, and Mr. SESSIONS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Urging all member countries of the International Commission of the International Tracing Service (ITS) who have yet to ratify the May 2006 Amendments to the 1955 Bonn Accords Treaty, to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

Whereas the International Tracing Service (ITS) archives located in Bad Arolsen, Germany, which are administered by the International Committee of the Red Cross, contain an estimated 50,000,000 records on the fates of some 17,500,000 individual victims of Nazi war crimes;

Whereas the ITS archives at Bad Arolsen remain the largest closed Holocaust-era archives in the world; while access to individual records can be requested by Holocaust survivors and their descendants, many who have requested information in the past have reported facing significant delays and even unresponsiveness; furthermore, the records remain inaccessible to researchers and research institutions;

Whereas the 1955 Bonn Accords, the treaty governing the administration of the ITS, established an International Commission of 11 member countries (Belgium, France, Germany, Greece, Israel, Italy, Luxembourg, the Netherlands, Poland, the United Kingdom, and the United States) charged with overseeing the administration of the ITS Holocaust archives;

Whereas following years of delay, in May 2006 in Luxembourg, the International Commission of the ITS agreed upon amendments to the Bonn Accords which would allow researchers to use the archives and would allow each Commission member country to receive digitized copies of archive materials and make the records available to researchers under the respective national laws relating to archives and privacy;

Whereas the May 2006 Amendments to the Bonn Accords require each of the 11 members of the International Commission to ratify the amendments before open access to the Holocaust archives is permitted;

Whereas although the final signature was affixed to the amendments in October 2006, only 4 out of the 11 Commission member countries (the United States, Israel, Poland, and the Netherlands) have ratified the amendments to date;

Whereas the United States Holocaust Memorial Museum has for years been working tirelessly to provide public access to the materials in the Bad Arolsen archives;

Whereas on March 8, 2007, representatives from the 11 member countries of the International Commission of the ITS met in the Netherlands and reviewed the current ratification status of each country and the ratification process in its entirety;

Whereas it is a moral and humanitarian imperative to permit public access to the millions of Holocaust records housed at Bad Arolsen;

Whereas it is essential that Holocaust researchers obtain access now, while survivors are living, so that the researchers can benefit in their scholarly work from the insights of eyewitnesses;

Whereas in the Holocaust's aftermath, there have been far too many instances of survivors and heirs of Holocaust victims being refused their moral and legal right to information—for restitution purposes, slave labor compensation, and personal closure;

Whereas opening the historic records is a vital contribution to the world's collective memory and understanding of the Holocaust and efforts to ensure that the anti-Semitism that made such horrors possible is never again permitted to take hold;

Whereas anti-Semitism has seen a resurgence in recent years;  
as recently as December 2006, the President of Iran,  
Mahmoud Ahmadinejad, held the second Holocaust denial  
conference in Tehran in one year; and

Whereas in light of this conference, President Ahmadinejad's  
anti-Semitic rhetoric, and a resurgence of anti-Semitism  
in part of the world, the opening of the archives at Bad  
Arolsen could not be more urgent: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2           (1) commends in the strongest terms all coun-  
3       tries that have to date ratified the amendments to  
4       the Bonn Accords to allow for open access to the  
5       Holocaust archives of the International Tracing  
6       Service (ITS) located at Bad Arolsen, Germany;

7           (2) commends those countries that have com-  
8       mitted to expedite the process of releasing the ar-  
9       chives and expects those countries to abide by their  
10      commitments;

11          (3) strongly urges all countries that have to yet  
12      to ratify the amendments to abide by their treaty  
13      obligations made in May 2006 and to expedite the  
14      ratification of these amendments;

15          (4) strongly urges all Commission members to  
16      consider the short time left to Holocaust survivors  
17      and unanimously consent to open the ITS archives  
18      should all countries not ratify the amendments by  
19      May 2007;

1           (5) expresses the hope that bureaucratic and  
2     diplomatic processes will not further delay this proc-  
3     ess; and

4           (6) refuses to forget the murder of 6,000,000  
5     Jews and more than 5,000,000 other victims during  
6     the Holocaust by Nazi perpetrators and their col-  
7     laborators.

○

.....  
(Original Signature of Member)

110TH CONGRESS  
1ST SESSION

**H. RES. 267**

Calling for the immediate and unconditional release of British marines and sailors held captive by Iran, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. KIRK (for himself and Mr. ANDREWS) submitted the following resolution; which was referred to the Committee on \_\_\_\_\_

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**RESOLUTION**

Calling for the immediate and unconditional release of British marines and sailors held captive by Iran, and for other purposes.

Whereas on March 23, 2007, the Iranian Revolutionary Guard Navy seized 15 British marines and sailors;

Whereas the British Navy personnel were engaged in routine boarding operations of merchant shipping in Iraqi territorial waters when they were accosted by Iranian vessels;

Whereas Iran's pursuit of nuclear weapons in defiance of the international community continues to threaten America's national security and Middle East regional stability;

Whereas the seizure of the British sailors came on the same day the United Nations Security Council introduced a new resolution to sanction the Government of Iran for its continued defiance of the International Atomic Energy Agency and its noncompliance with the Treaty on the Non-Proliferation of Nuclear Weapons; and

Whereas Great Britain remains one of the strongest allies of the United States and a partner in the war on terrorism:  
Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) condemns the Islamic Republic of Iran for  
3       the seizure of 15 British marines and sailors and de-  
4       mands their unconditional release; and

5               (2) calls on the United Nations Security Coun-  
6       cil to condemn this seizure and explore new sanc-  
7       tions against the Islamic Republic of Iran, including  
8       the restriction of the supply of gasoline, to prevent  
9       further Iranian hostile action, deny Iran's ability to  
10      militarize the Persian Gulf, and enforce Iran's non-  
11      proliferation commitments.

Chairman LANTOS. Pursuant to notice, I call up the bill, H.R. 1681, the American Red Cross Governance Modernization Act of 2007, and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point. I yield myself a brief moment to explain the legislation.

[H.R. 1681 follows:]



.....  
(Original Signature of Member)

110TH CONGRESS  
1ST SESSION

**H. R. 1681**

To amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross to support the critical mission of The American National Red Cross in the 21st century, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “The American Na-  
3 tional Red Cross Governance Modernization Act of 2007”.

4 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) Substantive changes to the Congressional  
8 Charter of The American National Red Cross have  
9 not been made since 1947.

10 (2) In February 2006, the board of governors  
11 of The American National Red Cross (the “Board of  
12 Governors”) commissioned an independent review  
13 and analysis of the Board of Governors’ role, com-  
14 position, size, relationship with management, govern-  
15 ance relationship with chartered units of The Amer-  
16 ican National Red Cross, and whistleblower and  
17 audit functions.

18 (3) In an October 2006 report of the Board of  
19 Governors, entitled “American Red Cross Govern-  
20 ance for the 21st Century” (the “Governance Re-  
21 port”), the Board of Governors recommended  
22 changes to the Congressional Charter, bylaws, and  
23 other governing documents of The American Na-  
24 tional Red Cross to modernize and enhance the ef-  
25 fectiveness of the Board of Governors and govern-  
26 ance structure of The American National Red Cross.

1           (4) It is in the national interest to create a  
2 more efficient governance structure of The American  
3 National Red Cross and to enhance the Board of  
4 Governors' ability to support the critical mission of  
5 The American National Red Cross in the 21st cen-  
6 tury.

7           (5) It is in the national interest to clarify the  
8 role of the Board of Governors as a governance and  
9 strategic oversight board and for The American Na-  
10 tional Red Cross to amend its bylaws, consistent  
11 with the recommendations described in the Govern-  
12 ance Report, to clarify the role of the Board of Gov-  
13 ernors and to outline the areas of its responsibility,  
14 including—

15           (A) reviewing and approving the mission  
16 statement for The American National Red  
17 Cross;

18           (B) approving and overseeing the corpora-  
19 tion's strategic plan and maintaining strategic  
20 oversight of operational matters;

21           (C) selecting, evaluating, and determining  
22 the level of compensation of the corporation's  
23 chief executive officer;

24           (D) evaluating the performance and estab-  
25 lishing the compensation of the senior leader-

1 ship team and providing for management suc-  
2 cession;

3 (E) overseeing the financial reporting and  
4 audit process, internal controls, and legal com-  
5 pliance;

6 (F) holding management accountable for  
7 performance;

8 (G) providing oversight of the financial  
9 stability of the corporation;

10 (H) ensuring the inclusiveness and diver-  
11 sity of the corporation;

12 (I) providing oversight of the protection of  
13 the brand of the corporation; and

14 (J) assisting with fundraising on behalf of  
15 the corporation.

16 (6)(A) The selection of members of the Board  
17 of Governors is a critical component of effective gov-  
18 ernance for The American National Red Cross, and,  
19 as such, it is in the national interest that The Amer-  
20 ican National Red Cross amend its bylaws to provide  
21 a method of selection consistent with that described  
22 in the Governance Report.

23 (B) The new method of selection should replace  
24 the current process by which—

1 (i) 30 chartered unit-elected members of  
2 the Board of Governors are selected by a non-  
3 Board committee which includes 2 members of  
4 the Board of Governors and other individuals  
5 elected by the chartered units themselves;

6 (ii) 12 at-large members of the Board of  
7 Governors are nominated by a Board committee  
8 and elected by the Board of Governors; and

9 (iii) 8 members of the Board of Governors  
10 are appointed by the President of the United  
11 States.

12 (C) The new method of selection described in  
13 the Governance Report reflects the single category of  
14 members of the Board of Governors that will result  
15 from the implementation of this Act:

16 (i) All Board members (except for the  
17 chairman of the Board of Governors) would be  
18 nominated by a single committee of the Board  
19 of Governors taking into account the criteria  
20 outlined in the Governance Report to assure the  
21 expertise, skills, and experience of a governing  
22 board.

23 (ii) The nominated members would be con-  
24 sidered for approval by the full Board of Gov-  
25 ernors and then submitted to The American

1 National Red Cross annual meeting of delegates  
2 for election, in keeping with the standard cor-  
3 porate practice whereby shareholders of a cor-  
4 poration elect members of a board of directors  
5 at its annual meeting.

6 (7) The United States Supreme Court held The  
7 American National Red Cross to be an instrumen-  
8 tality of the United States, and it is in the national  
9 interest that the Congressional Charter confirm that  
10 status and that any changes to the Congressional  
11 Charter do not affect the rights and obligations of  
12 The American National Red Cross to carry out its  
13 purposes.

14 (8) Given the role of The American National  
15 Red Cross in carrying out its services, programs,  
16 and activities, and meeting its various obligations,  
17 the effectiveness of The American National Red  
18 Cross will be promoted by the creation of an organi-  
19 zational ombudsman who—

20 (A) will be a neutral or impartial dispute  
21 resolution practitioner whose major function  
22 will be to provide confidential and informal as-  
23 sistance to the many internal and external  
24 stakeholders of The American National Red  
25 Cross;

1 (B) will report to the chief executive officer  
2 and the audit committee of the Board of Gov-  
3 ernors; and

4 (C) will have access to anyone and any  
5 documents in The American National Red  
6 Cross.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that—

9 (1) charitable organizations are an indispen-  
10 sable part of American society, but these organiza-  
11 tions can only fulfill their important roles by main-  
12 taining the trust of the American public;

13 (2) trust is fostered by effective governance and  
14 transparency, which are the principal goals of the  
15 recommendations of the Board of Governors in the  
16 Governance Report and this Act;

17 (3) Federal and State action play an important  
18 role in ensuring effective governance and trans-  
19 parency by setting standards, rooting out violations,  
20 and informing the public; and

21 (4) while The American National Red Cross is  
22 and will remain a Federally chartered instrumen-  
23 tality of the United States, and it has the rights and  
24 obligations consistent with that status, The Amer-  
25 ican National Red Cross nevertheless should main-

1       tain appropriate communications with State regu-  
2       lators of charitable organizations and should cooper-  
3       ate with them as appropriate in specific matters as  
4       they arise from time to time.

5   **SEC. 3. ORGANIZATION.**

6       Section 300101 of title 36, United States Code, is  
7   amended—

8           (1) in subsection (a), by inserting “a Federally  
9       chartered instrumentality of the United States and”  
10      before “a body corporate and politic”; and

11          (2) in subsection (b), by inserting at the end  
12      the following new sentence: “The corporation may  
13      conduct its business and affairs, and otherwise hold  
14      itself out, as the ‘American Red Cross’ in any juris-  
15      diction.”.

16   **SEC. 4. PURPOSES.**

17       Section 300102 of title 36, United States Code, is  
18   amended—

19          (1) by striking “and” at the end of paragraph  
20      (3);

21          (2) by striking the period at the end of para-  
22      graph (4) and inserting “; and”; and

23          (3) by adding at the end the following para-  
24      graph:



1 “(5) to conduct other activities consistent with  
2 the foregoing purposes.”.

3 **SEC. 5. MEMBERSHIP AND CHAPTERS.**

4 Section 300103 of title 36, United States Code, is  
5 amended—

6 (1) in subsection (a), by inserting “, or as oth-  
7 erwise provided,” before “in the bylaws”;

8 (2) in subsection (b)(1)—

9 (A) by striking “board of governors” and  
10 inserting “corporation”; and

11 (B) by inserting “policies and” before  
12 “regulations related”; and

13 (3) in subsection (b)(2)—

14 (A) by inserting “policies and” before  
15 “regulations shall require”; and

16 (B) by striking “national convention” and  
17 inserting “annual meeting”.

18 **SEC. 6. BOARD OF GOVERNORS.**

19 Section 300104 of title 36, United States Code, is  
20 amended to read as follows:

21 **“§ 300104. Board of governors**

22 “(a) BOARD OF GOVERNORS.—

23 “(1) IN GENERAL.—The board of governors is  
24 the governing body of the corporation with all pow-  
25 ers of governing and directing, and of overseeing the

1 management of the business and affairs of, the cor-  
2 poration.

3 “(2) NUMBER.—The board of governors shall  
4 fix by resolution, from time to time, the number of  
5 members constituting the entire board of governors,  
6 provided that—

7 “(A) as of March 31, 2009, and thereafter,  
8 there shall be no fewer than 12 and no more  
9 than 25 members; and

10 “(B) as of March 31, 2012, and thereafter,  
11 there shall be no fewer than 12 and no more  
12 than 20 members constituting the entire board.

13 Procedures to implement the preceding sentence  
14 shall be provided in the bylaws.

15 “(3) APPOINTMENT.—The governors shall be  
16 appointed or elected in the following manner:

17 “(A) CHAIRMAN.—

18 “(i) IN GENERAL.—The board of gov-  
19 ernors, in accordance with procedures pro-  
20 vided in the bylaws, shall recommend to  
21 the President an individual to serve as  
22 chairman of the board of governors. If  
23 such recommendation is approved by the  
24 President, the President shall appoint such

## 11

1 individual to serve as chairman of the  
2 board of governors.

3 “(ii) VACANCIES.—Vacancies in the  
4 office of the chairman, including vacancies  
5 resulting from the resignation, death, or  
6 removal by the President of the chairman,  
7 shall be filled in the same manner de-  
8 scribed in clause (i).

9 “(iii) DUTIES.—The chairman shall  
10 be a member of the board of governors  
11 and, when present, shall preside at meet-  
12 ings of the board of governors and shall  
13 have such other duties and responsibilities  
14 as may be provided in the bylaws or a res-  
15 olution of the board of governors.

16 “(B) OTHER MEMBERS.—

17 “(i) IN GENERAL.—Members of the  
18 board of governors other than the chair-  
19 man shall be elected at the annual meeting  
20 of the corporation in accordance with such  
21 procedures as may be provided in the by-  
22 laws.

23 “(ii) VACANCIES.—Vacancies in any  
24 such elected board position and in any  
25 newly created board position may be filled

1 by a vote of the remaining members of the  
2 board of governors in accordance with such  
3 procedures as may be provided in the by-  
4 laws.

5 “(b) TERMS OF OFFICE.—

6 “(1) IN GENERAL.—The term of office of each  
7 member of the board of governors shall be 3 years,  
8 except that—

9 “(A) the board of governors may provide  
10 under the bylaws that the terms of office of  
11 members of the board of governors elected to  
12 the board of governors before March 31, 2012,  
13 may be less than 3 years in order to implement  
14 the provisions of subparagraphs (A) and (B) of  
15 subsection (a)(2); and

16 “(B) any member of the board of gov-  
17 ernors elected by the board to fill a vacancy in  
18 a board position arising before the expiration of  
19 its term may, as determined by the board, serve  
20 for the remainder of that term or until the next  
21 annual meeting of the corporation.

22 “(2) STAGGERED TERMS.—The terms of office  
23 of members of the board of governors (other than  
24 the chairman) shall be staggered such that, by  
25 March 31, 2012, and thereafter,  $\frac{1}{3}$  of the entire

1 board (or as near to  $\frac{1}{3}$  as practicable) shall be elect-  
2 ed at each successive annual meeting of the corpora-  
3 tion with the term of office of each member of the  
4 board of governors elected at an annual meeting ex-  
5 piring at the third annual meeting following the an-  
6 nual meeting at which such member was elected.

7 “(3) TERM LIMITS.—No person may serve as a  
8 member of the board of governors for more than  
9 such number of terms of office or years as may be  
10 provided in the bylaws.

11 “(c) COMMITTEES AND OFFICERS.—The board—

12 “(1) may appoint, from its own members, an  
13 executive committee to exercise such powers of the  
14 board when the board is not in session as may be  
15 provided in the bylaws;

16 “(2) may appoint such other committees or ad-  
17 visory councils with such powers as may be provided  
18 in the bylaws or a resolution of the board of gov-  
19 ernors;

20 “(3) shall appoint such officers of the corpora-  
21 tion, including a chief executive officer, with such  
22 duties, responsibilities, and terms of office as may be  
23 provided in the bylaws or a resolution of the board  
24 of governors; and

1           “(4) may remove members of the board of gov-  
2       ernors (other than the chairman), officers, and em-  
3       ployees under such procedures as may be provided in  
4       the bylaws or a resolution of the board of governors.

5       “(d) ADVISORY COUNCIL.—

6           “(1) ESTABLISHMENT.—There shall be an advi-  
7       sory council to the board of governors.

8           “(2) MEMBERSHIP; APPOINTMENT BY PRESI-  
9       DENT.—

10           “(A) IN GENERAL.—The advisory council  
11       shall be composed of no fewer than 8 and no  
12       more than 10 members, each of whom shall be  
13       appointed by the President from principal offi-  
14       cers of the executive departments and senior of-  
15       ficers of the Armed Forces whose positions and  
16       interests qualify them to contribute to carrying  
17       out the programs and purposes of the corpora-  
18       tion.

19           “(B) MEMBERS FROM THE ARMED  
20       FORCES.—At least 1, but not more than 3, of  
21       the members of the advisory council shall be se-  
22       lected from the Armed Forces.

23           “(3) DUTIES.—The advisory council shall ad-  
24       vise, report directly to, and meet, at least 1 time per  
25       year with the board of governors, and shall have

1       such name, functions and be subject to such proce-  
2       dures as may be provided in the bylaws.

3       “(e) ACTION WITHOUT MEETING.—Any action re-  
4       quired or permitted to be taken at any meeting of the  
5       board of governors or of any committee thereof may be  
6       taken without a meeting if all members of the board or  
7       committee, as the case may be, consent thereto in writing,  
8       or by electronic transmission and the writing or writings  
9       or electronic transmission or transmissions are filed with  
10      the minutes of proceedings of the board or committee.  
11      Such filing shall be in paper form if the minutes are main-  
12      tained in paper form and shall be in electronic form if  
13      the minutes are maintained in electronic form.

14      “(f) VOTING BY PROXY.—

15              “(1) IN GENERAL.—Voting by proxy is not al-  
16      lowed at any meeting of the board, at the annual  
17      meeting, or at any meeting of a chapter.

18              “(2) EXCEPTION.—The board may allow the  
19      election of governors by proxy during any emer-  
20      gency.

21      “(g) BYLAWS.—

22              “(1) IN GENERAL.—The board of governors  
23      may—

24                      “(A) at any time adopt bylaws; and

1 “(B) at any time adopt bylaws to be effective only in an emergency.

2  
3 “(2) EMERGENCY BYLAWS.—Any bylaws adopted pursuant to paragraph (1)(B) may provide special procedures necessary for managing the corporation during the emergency. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency.

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5  
6  
7  
8  
9 “(h) DEFINITIONS.—For purposes of this section—

10 “(1) the term ‘entire board’ means the total number of members of the board of governors that the corporation would have if there were no vacancies; and

11  
12  
13  
14 “(2) the term ‘emergency’ shall have such meaning as may be provided in the bylaws.”.

15  
16 **SEC. 7. POWERS.**

17 Paragraph (a)(1) of section 300105 of title 36, United States Code, is amended by striking “bylaws” and inserting “policies”.

18  
19  
20 **SEC. 8. ANNUAL MEETING.**

21 Section 300107 of title 36, United States Code, is amended to read as follows:



1 **“§ 300107. Annual meeting**

2 “(a) IN GENERAL.—The annual meeting of the cor-  
3 poration is the annual meeting of delegates of the chap-  
4 ters.

5 “(b) TIME OF MEETING.—The annual meeting shall  
6 be held as determined by the board of governors.

7 “(c) PLACE OF MEETING.—The board of governors  
8 is authorized to determine that the annual meeting shall  
9 not be held at any place, but may instead be held solely  
10 by means of remote communication subject to such proce-  
11 dures as are provided in the bylaws.

12 “(d) VOTING.—

13 “(1) IN GENERAL.—In matters requiring a vote  
14 at the annual meeting, each chapter is entitled to at  
15 least 1 vote, and voting on all matters may be con-  
16 ducted by mail, telephone, telegram, cablegram, elec-  
17 tronic mail, or any other means of electronic or tele-  
18 phone transmission, provided that the person voting  
19 shall state, or submit information from which it can  
20 be determined, that the method of voting chosen was  
21 authorized by such person.

22 “(2) ESTABLISHMENT OF NUMBER OF  
23 VOTES.—

24 “(A) IN GENERAL.—The board of gov-  
25 ernors shall determine on an equitable basis the  
26 number of votes that each chapter is entitled to

1 cast, taking into consideration the size of the  
2 membership of the chapters, the populations  
3 served by the chapters, and such other factors  
4 as may be determined by the board.

5 “(B) PERIODIC REVIEW.—The board of  
6 governors shall review the allocation of votes at  
7 least every 5 years.”.

8 **SEC. 9. ENDOWMENT FUND.**

9 Section 300109 of title 36, United States Code is  
10 amended—

11 (1) by striking “nine” from the first sentence  
12 thereof; and

13 (2) by striking the second sentence and insert-  
14 ing the following: “The corporation shall prescribe  
15 policies and regulations on terms and tenure of of-  
16 fice, accountability, and expenses of the board of  
17 trustees.”.

18 **SEC. 10. ANNUAL REPORT AND AUDIT.**

19 Subsection (a) of section 300110 of title 36, United  
20 States Code, is amended to read as follows:

21 “(a) SUBMISSION OF REPORT.—As soon as prac-  
22 ticable after the end of the corporation’s fiscal year, which  
23 may be changed from time to time by the board of gov-  
24 ernors, the corporation shall submit a report to the Sec-  
25 retary of Defense on the activities of the corporation dur-

1 ing such fiscal year, including a complete, itemized report  
2 of all receipts and expenditures.”.

3 **SEC. 11. COMPTROLLER GENERAL OF THE UNITED STATES**  
4 **AND OFFICE OF THE OMBUDSMAN.**

5 (a) IN GENERAL.—Chapter 3001 of title 36, United  
6 States Code, is amended by redesignating section 300111  
7 as section 300113 and by inserting after section 300110  
8 the following new sections:

9 **“§ 300111. Authority of the Comptroller General of**  
10 **the United States**

11 “The Comptroller General of the United States is au-  
12 thorized to review the corporation’s involvement in any  
13 Federal program or activity the Government carries out  
14 under law.

15 **“§ 300112. Office of the Ombudsman**

16 “(a) ESTABLISHMENT.—The corporation shall estab-  
17 lish an Office of the Ombudsman with such duties and  
18 responsibilities as may be provided in the bylaws or a reso-  
19 lution of the board of governors.

20 “(b) REPORT.—

21 “(1) IN GENERAL.—The Office of the Ombuds-  
22 man shall submit annually to the appropriate Con-  
23 gressional committees a report concerning any  
24 trends and systemic matters that the Office of the

1 Ombudsman has identified as confronting the cor-  
2 poration.

3 “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—For purposes of paragraph (1), the appro-  
5 priate Congressional committees are the following  
6 committees of Congress:

7 “(A) SENATE COMMITTEES.—The appro-  
8 priate Congressional committees of the Senate  
9 are—

10 “(i) the Committee on Finance;

11 “(ii) the Committee on Foreign Rela-  
12 tions;

13 “(iii) the Committee on Health, Edu-  
14 cation, Labor, and Pensions;

15 “(iv) the Committee on Homeland Se-  
16 curity and Governmental Affairs; and

17 “(v) the Committee on the Judiciary.

18 “(B) HOUSE COMMITTEES.—The appro-  
19 priate Congressional committees of the House  
20 of Representatives are—

21 “(i) the Committee on Energy and  
22 Commerce;

23 “(ii) the Committee on Foreign Af-  
24 fairs;

1 “(iii) the Committee on Homeland Se-  
2 curity;

3 “(iv) the Committee on the Judiciary;  
4 and

5 “(v) the Committee on Ways and  
6 Means.”.

7 (b) CLERICAL AMENDMENT.—The table of sections  
8 for chapter 3001 of title 36, United States Code, is  
9 amended by striking the item relating to section 300111  
10 and inserting the following:

“300111. Authority of the Comptroller General of the United States.

“300112. Office of the Ombudsman.

“300113. Reservation of right to amend or repeal.”.

Chairman LANTOS. As my colleagues know, in the aftermath of September 11 and the catastrophic hurricane season of 2005, the American National Red Cross undertook a top-to-bottom governance audit. This comprehensive study led to recommendations regarding the Red Cross, which were described to us at a recent hearing by the chairwoman of the Red Cross and the chair of the audit.

This markup is the next step in our legislative action in this regard. The legislation before us today amends the Red Cross Charter in a number of ways.

First, the Board of Governors will be reduced to 25 members, or fewer, to streamline its decision-making process. The legislation will also require governors to be elected solely by delegates to the Red Cross Annual Meeting. The responsibilities for day-to-day operations will be delegated to Red Cross management rather than to the board.

Finally, the legislation requires the Red Cross to establish an Office of the Ombudsman, who will report to Congress to raise the profile of the whistleblower process for employees and volunteers and to make improvements to it.

These changes will help promote the kind of leadership necessary to make Red Cross management and operation run dramatically more smoothly than we have seen in the past.

Chairman LANTOS. I strongly support this legislation, urge all of my colleagues to do so, and I am pleased to yield now to our distinguished ranking member for any comments she might want to make.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and I am also pleased to join you as an original co-sponsor of the American Red Cross Governance Modernization Act of 2007. As all of us know, the American Red Cross stands alone as an institution with a unique status. It has been assigned the responsibility by the United States Congress of fulfilling the obligations of the United States under the Geneva Convention for carrying out peacetime disaster-relief functions.

This obligation has not been a small undertaking. The Red Cross has been helping victims of war and natural disasters since its founding in 1881. On January 12, 2006, the Red Cross reported that it had raised \$2 billion for Hurricane Katrina relief alone, the largest sum of money ever raised by one charity.

As a Member of Congress from Florida's 18th District, I am well aware of the wonderful work that the Red Cross has done in responding to numerous hurricanes and tropical storms that have affected the residents of my congressional district. I am proud of the hard work that the Red Cross has done to review its internal governance structures and proposed changes to its charter that will reform the organization and will bring it into the next 100 years of service.

I am pleased that the Red Cross was willing to accept proposed changes that will provide accountability and transparency in the manner in which it reports its finding as to audits and investigations to the public. The Red Cross has provided this committee with answers to the questions I presented during our recent hearing, to my great satisfaction, on these issues. And, Mr. Chairman,

I have enjoyed working with you on this and so many other pieces of legislation before our committee, and I urge my colleagues to unanimously support H.R. 1681. Thank you, Mr. Chairman.

Chairman LANTOS. I thank my friend from Florida. I understand my colleague from Texas, Congresswoman Sheila Jackson Lee, has an amendment.

Ms. JACKSON LEE. Thank you very much, Mr. Chairman. I have two amendments. I have number one at the desk, which I would like to offer at this time.

Chairman LANTOS. The clerk will report.

Ms. RUSH. Amendment to H.R. 1681 offered by Ms. Jackson Lee of Texas: Insert after Section 2[a][5][H] "Section I," ensuring the chapters—

Chairman LANTOS. The amendment will be considered as read, and I recognize Ms. Jackson Lee.

Ms. JACKSON LEE. I thank the chairman very much. Let me, first of all, thank the chairman and the ranking member for this enormously thoughtful legislation and, as well, indicate my appreciation for the honesty and the forthrightness of the Red Cross to look anew in the 21st century how it could be the most responsible agency of relief that it has been in years past. I also want to acknowledge the witness that appeared, the chairwoman of the board, who was very open in her testimony, Mr. Lantos.

My amendment is simple, and it comes from firsthand experience, having welcomed into Houston thousands upon thousands of Katrina evacuees and listening to their stories, as well as the stories of our local community and faith-based organizations that sought to collaborate with the Red Cross, but there was no real structure to do so.

After and during the time that we were sheltering a number of these evacuees, the Red Cross came to Houston and indicated, in essence, teach us how we can work with these many volunteer organizations that we have not worked with before.

This amendment is simple. It simply reinforces the Red Cross' new commitment to work with local community and other organizations and to commit themselves to communicate with them. In a time of need and tragedy, the more we can have an organized response, the better off those who are suffering will be, and this amendment simply encourages the Red Cross, along with its other restructuring, to ensure a strong hand of collaboration in our local communities. I ask my colleagues to support this amendment.

[The information referred to follows:]

*Amendment to H.R. 1681 Offered by Ms. Jackson-Lee of Texas*

Insert after Sec. 2(b)(4):

"(5) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications and collaborations with local, community, and faith-based non-profit organizations, including those organizations that work within minority communities."

Chairman LANTOS. The amendment has been cleared by both sides. If there are no additional comments, I put the amendment to a vote. All of those in favor, say aye.

[A chorus of ayes.]

Chairman LANTOS. Opposed, nay.

[Pause.]

Chairman LANTOS. The amendment carries.

Ms. Jackson Lee.

Ms. JACKSON LEE. Thank you, Mr. Chairman, very much. I have an amendment at the desk, number two.

Chairman LANTOS. The clerk will report the amendment.

Ms. RUSH. Amendment to H.R. 1681, offered by Ms. Jackson Lee of Texas: "Insert after Section 2[b][4]—"

Chairman LANTOS. The amendment will be considered as read, and I recognize Ms. Jackson Lee.

Ms. JACKSON LEE. Let me thank the distinguished chairman, and I will briefly say I applaud the reordering of the Red Cross Board. It is a smaller board. I think it will be, if you will, a leaner, effective, working machine. This amendment simply asks that, as they look to place persons on the board, that they will ensure that there will be diversity geographically and regionally so that we have the full voice of America working with the Red Cross of America as it goes forth into the 21st century.

[The information referred to follows:]

*Amendment to H.R. 1681 Offered by Ms. Jackson-Lee of Texas*

Insert after Sec. 2(a)(5)(H):

"(I) ensuring the chapters of the corporation are geographically and regionally diverse;"

And redesignate the subsequent paragraphs accordingly.

Chairman LANTOS. This amendment has also been cleared by both sides, and if there are no comments, I put the question, all of those in favor of the amendment will say aye.

[A chorus of ayes.]

Chairman LANTOS. Opposed, nay.

[Pause.]

Chairman LANTOS. The amendment is agreed to.

Are there any other amendments?

[No response.]

Chairman LANTOS. If not, the question occurs on the motion to report the bill favorably, as amended. All in favor, say aye.

[A chorus of ayes.]

Chairman LANTOS. Opposed, say no. The ayes have it, and the motion to report favorably is adopted.

Without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating the amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

Mr. Flake.

Mr. FLAKE. I would just like to submit a statement for the record with regard to this bill. I am glad that it has gone through. I was pleased to have introduced the Geneva Distinctive—Act in the last Congress, right near the end, that President Bush signed into law this year. This is an important step for the Red Cross, and I think the reforms here are wise and overdue. Thanks.

Chairman LANTOS. I thank my friend.



Before we adjourn, I would like to recognize Dr. Douglas Gwatidzo, who testified last week before the Human Rights Caucus on the current crisis in Zimbabwe.

Two weeks ago, Zimbabwe security forces were ordered to attack a peaceful, public prayer meeting. Members of the opposition, religious leaders, and civil society members were brutally assaulted, and several were killed. Dr. Gwatidzo attended to many of the physically broken in his emergency clinic and bravely came forward to tell his story. He is a hero to the people of Zimbabwe and to those of us in Congress who follow the Zimbabwe situation closely.

Dr. Gwatidzo is the chairperson of the Zimbabwe Association of Doctors for Human Rights, which was founded in 2002. After completing his medical training in 1987, he worked in public hospitals in Harare. He then served as an Army medical officer from 1990 to 1994, before joining a private hospital where he currently works in the casualty department as an accident and emergency practitioner.

Dr. Gwatidzo is one of the founding members of the organization, and he spearheaded the health and human rights movement in Zimbabwe. He has served as chairperson of this most important human rights body for the past 2 years.

I want to salute him and the 200 Zimbabwean doctors and other health professionals who promote human rights and who assist and protect victims of organized violence and torture. If you will please stand.

[Applause.]

Chairman LANTOS. We are grateful for your presence, and we want to express our bipartisan solidarity with the people of Zimbabwe who are attempting to create a civilized and humane society, and I yield to my friend, the ranking member, or my good friend from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you so very much, Mr. Chairman. I want to associate my remarks, in the strongest possible way, with your statements with regard to Zimbabwe and the most recent outrages that have occurred there.

As you know, the committee has been focusing on this issue for some time, and, as you point out in your resolution, and I am very glad that you have brought this to the committee, there have been about 2.4 million people who have been literally thrown out of their homes, their homes bulldozed. They have been mistreated. People have died from preventable diseases.

The government has used every means of suppression, every tool that they could possibly muster, to crush those who disagree with Mugabe's regime. The doctor and others who have been so brave in standing up deserve not only recognition but certainly our applause and our prayers and our hopes for a better day in Zimbabwe.

So, Mr. Chairman, I want to thank you for this resolution. This is truly an important statement to be made right now by this Congress. I yield back.

Chairman LANTOS. I thank my friend from New Jersey, who is an indefatigable fighter for human rights across the globe, and I thank you, sir, for honoring us with your presence. We stand with the people of Zimbabwe against this dictatorial and brutal regime.

Mr. Flake.

Mr. FLAKE. I just wanted to add my voice as well to this. I had the privilege of living in Zimbabwe 6 months in my life, and I just want to say to you, thank you for being here.

Ms. JACKSON LEE. Mr. Chairman?

Chairman LANTOS. Yes. Ms. Sheila Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, let me, to the doctor, know that many of us know Zimbabwe through the struggle of apartheid. We had great hopes and dreams for your great and beautiful nation that I have spent time in and, really, for your leader. We know how difficult it is for you to look at an elderly icon, who, in years past, had such respect. We know how difficult it is for you to stand up, and we applaud you because the voices have to be heard that there has to be a change for the better in Zimbabwe, and I offer to you our greatest support as we make this journey together.

So thank you very much. I thank my colleagues and your presence in this room today.

Chairman LANTOS. Thank you. Any other colleague? If not, welcome again, and this hearing is adjourned.

[Whereupon, at 11:30 a.m., the committee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

H.R. 1405, WILDLIFE GAINS ACT OF 2007

Mr. Chairman, I would like to add my support for H.R. 1405, the Wildlife Global Animal Information Network for Surveillance Act of 2007.

As you may know, more than 60 percent of the approximately 1,400 infectious diseases currently known to modern medicine are shared between humans and animals.

Just in the past 15 years we have seen outbreaks of Hantavirus, plague, Ebola virus, Nipah virus, West Nile virus, SARS, Monkeypox, and H5N1 influenza.

All of these serious threats to public health have one thing in common—they can move from wild animals to people.

We have moved rapidly to address threats from a bird flu pandemic around the world and here in the United States.

But the work is far from complete. The response to bird flu has made it clear that the US Government lacks a comprehensive, coordinated approach to monitoring emerging diseases and predicting when disease activity might spike into a full blown pandemic.

Our Government also lacks a comprehensive program to monitor wildlife health around the world, one that could proactively inform preparedness not just in the case of a potential bird flu pandemic, but for a broader array of emerging infectious disease threats that often arise at the interface between wildlife, people, and their domestic animals.

To address this gap in our preparedness efforts, to better protect public health, agricultural productivity, the environment and our economy, we need a global network for wildlife health surveillance which will assist in predicting and combating the spread of emerging diseases to the US and other countries.

That is why I am supporting the Wildlife Global Animal Information Network for Surveillance (GAINS) Act and I urge our Committee to favorably report the measure today.

